United Nations S/PV.4436

Security Council
Fifty-sixth year

Provisional

4436th meeting
Friday, 14 December 2001, 10 a.m.
New York

President:	Mr. Ouane	(Mali)
Members:	Bangladesh	Mr. Ahmad
	China	Mr. Chen Xu
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Corr
	Jamaica	Miss Durrant
	Mauritius	Ms. Huree-Agarwal
	Norway	Mr. Kolby
	Russian Federation	Mr. Konuzin
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Cherif
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Negroponte

Agenda

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2001/1122).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-69688 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2001/1122)

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations operation in Cyprus, document S/2001/1122.

Members of the Council also have before them document S/2001/1190, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should also like to draw the attention of the members of the Council to document S/2001/1162, which contains the text of a letter dated 10 December 2001 from the Secretary-General.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/2001/1190) before it.

I should like to inform the Security Council that, in my capacity as President of the Council, I have met with the representatives of the parties, who have confirmed to me that they maintain their well known positions vis-à-vis the item on the Council's agenda. On the basis of those meetings, as President, with the consent of the members of the Council, I have drawn the conclusion that the Council can proceed to take a decision on the draft resolution before it.

If I hear no objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bangladesh, China, Colombia, France, Ireland, Jamaica, Mali, Mauritius, Norway, Russian Federation, Singapore, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1384 (2001).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.25 a.m.

United Nations S/PV.4437

Security Council
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4437th meeting
Friday, 14 December 2001, 10.25 a.m.
New York

President:	Mr. Ouane	(Mali)
Members:	Bangladesh	Mr. Ahmad
	China	Mr. Chen Xu
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Corr
	Jamaica	Miss Durrant
	Mauritius	Mr. Koonjul
	Norway	Mr. Kolby
	Russian Federation	Mr. Granovsky
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Tekaya
	Ukraine	Mr. Kuchinsky
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation concerning the Democratic Republic of the Congo

Letter dated 10 November 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/1072).

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01-69694 (E)

The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Letter dated 10 November 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/1072)

The President (*spoke in French*): I should like to inform the members of the Council that I have received letters from the representatives of Angola, Belgium, Burundi, Canada, the Democratic Republic of the Congo, Japan, Namibia, Nigeria, Rwanda, South Africa, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Léonard She Okitundu, Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo.

At the invitation of the President, Mr. She Okitundu (Democratic Republic of the Congo) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): On behalf of the Council, I extend a warm welcome to His Excellency Mr. James Wapakhabulo, Third Deputy Prime Minister and Minister for Foreign Affairs of Uganda.

At the invitation of the President, Mr. Wapakhabulo (Uganda) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): On behalf of the Council, I extend a warm welcome to His Excellency Mr. Stanislaus I.G. Mudenge, Minister for Foreign Affairs of Zimbabwe.

At the invitation of the President, Mr. Mudenge (Zimbabwe) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): On behalf of the Council, I extend a warm welcome to His Excellency Mr. Abdulkadeer Shareef, Deputy Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania.

At the invitation of the President, Mr. Shareef (United Republic of Tanzania) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): On behalf of the Council, I extend a warm welcome to His Excellency Mr. Patrick Mazimhaka, Adviser to the President of Rwanda.

At the invitation of the President, Mr. Mazimhaka (Rwanda) took the seat reserved for him at the side of the Council Chamber.

At the invitation of the President, Mr. Mangueira (Angola), Mr. De Ruyt (Belgium), Mr. Nteturuye (Burundi), Mr. Heinbecker (Canada), Mr. Kitagawa (Japan), Mr. Theron (Namibia), Mr. Hart (Nigeria), Mr. Kumalo (South Africa) and Mr. Musambachime (Zambia) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Mahmoud Kassem, Chairman of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo.

If there is no objection, it is so decided.

I invite Mr. Kassem to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2001/1072, containing a letter dated 10

November 2001 from the Secretary-General transmitting the addendum to the final report of the Panel.

I should like to draw the attention of the members of the Council to the following documents: S/2001/1080, S/2001/1102, S/2001/1007, S/2001/1113, S/2001/1143, S/2001/1156, S/2001/1175, S/2001/1161, S/2001/1163, S/2001/1168 and S/2001/1193.

At this meeting, the Chairman of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, Mr. Mahmoud Kassem. will introduce the report.

I wish to inform members of the Council that, after having heard the speakers on my list on this item, the Experts will be meeting at 3 p.m. to finalize the text of the presidential statement that we will be adopting following our meeting.

I give the floor to Mr. Kassem.

Mr. Kassem: It is a great, great pleasure for me once again to address the Council and its members. Permit me to begin by thanking Miss Mignonette Patricia Durrant, the previous President of the Council, for her assistance in arranging the informal consultations last month. I should like also to express my gratitude to the new President, Ambassador Moctar Ouane, for his assistance in preparing for today's consultations. Let me also thank all of the members of the Council for the invaluable support and assistance they have provided.

I should like once again to express our deep appreciation to Presidents Pierre Buyoya, Frederick Chiluba, Joseph Kabila, Paul Kagame, Robert Mugabe, Yoweri Museveni and Sam Nujoma for meeting with the Panel during its stay in the region. Permit me also to extend our special thanks to the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the Special Representative of the Secretary-General in the Democratic Republic of the Congo, and to the offices of the representatives of the Secretary-General in the Democratic Republic of the Congo, as well as the offices of the United Nations Development Programme in the region, for their help. In addition, the Panel wishes to thank the Department of Peacekeeping Operations at the Secretariat for its continued support.

As I told the Council earlier, the exploitation of the natural resources of the Democratic Republic of the Congo, for the enrichment of a wide range of actors, continues unabated. Not surprisingly, the Congolese people do not figure among the beneficiaries of this unfettered and increasingly systematized exploitation.

The August 1998 war introduced a new group of beneficiaries, both foreign and Congolese. They come from the ranks of the military, governing and ruling party elites, the leadership of the rebel groups and their sponsors. The new beneficiaries also include a host of intermediaries and investors, some legitimate and some linked to criminal elements. At an institutional level, profits have flowed to military budgets and political parties. This web of interests has ensured that the war became and remained, even now, a self-financing and self-sustaining affair.

Although the security concerns of neighbouring States helped spur the outbreak of the war, three years later these concerns appear to have been overtaken by the desire to maximize control over expanses of territory, their vast resources and the substantial profits derived from them.

While its mandate and composition emphasize the technical nature of its work, the Panel has never lost sight of the need to integrate its work into the broader framework of the peace process and to contribute to advancing that process. The Lusaka Ceasefire Agreement sets out many necessary preconditions for reducing the exploitation of resources. However, additional measures will be needed. The implementation of the Panel's recommendations and the implementation of the Ceasefire Agreement should thus be understood as complementary and mutually reinforcing courses of action, each strengthening and completing the other.

For example, the results of the Panel's fact-finding in the field highlight the fact that the Ceasefire Agreement, signed in July 1999, did not address the issue of the economic profits derived from the occupation of the territory of the Democratic Republic of the Congo. Yet both the Panel's report and its addendum illustrate the links between the exploitation of natural resources and the continuation of the conflict. Laying the foundation for lasting peace in the Democratic Republic of the Congo will necessarily require progress in drastically curbing the increasing exploitation of resources and redirecting the use of

these resources to the purposes of peaceful development for the benefit of the Congolese people.

Through the establishment of a monitoring body, the United Nations can continue the international community's scrutiny of the exploitation activities, including the mechanisms for channelling profits that have been put in place. A lack of follow-up in this area would send a message to the traffickers and profiteers that they can continue illicitly exploiting Congolese natural resources with impunity. It would also signal to the concerned parties that they can continue stalling on taking the actions needed to move the peace process forward, thereby further entrenching the status quo.

Member States should establish a moratorium on the purchase, transit and import of high-value commodities from regions of the Democratic Republic of the Congo where foreign troops are present. By stemming the profits from the exploitation of resources, the moratorium would reduce what has become a powerful incentive to continue to fuel the conflict and thus legitimize the presence of thousands of foreign troops and the strengthening of rebel armies. It should be viewed as a means to curb existing and future exploitation that is linked to the continuation of the conflict and, in this sense, contributes to furthering the peace process.

The Panel believes that a moratorium imposed on selected and easily detectable products, such as coltan and timber, would not have a significant impact on the Congolese population, who themselves have been ruthlessly exploited by opportunistic operators. The same monitoring body mentioned earlier would report to the Council on a periodic basis regarding which areas are no longer under the control of foreign troops in order to clear products originating from them for purchase and import. Practices aimed at weakening or circumventing the moratorium would also be the subject of monitoring and reporting. The effectiveness of such a moratorium would be heightened by a strong media campaign and continued international press coverage.

It would be the responsibility of the Security Council to decide whether this moratorium should be implemented on a voluntary or a mandatory basis. By incorporating it into their national legislation, individual countries could make a voluntary moratorium binding. This would permit them to prosecute violations occurring within their jurisdiction. Alternatively, a mandatory moratorium could be enacted by the Council through a resolution under Chapter VII of the Charter.

However, both voluntary and mandatory moratoriums are similar in their intent to target commodities. The main difference between a mandatory moratorium and a sanctions regime is that sanctions target States, forbidding exports from them. A mandatory moratorium targets commodities. It would establish a ban on the import by United Nations Member States of commodities produced in a specific area in which exploitation is known to fuel the conflict.

Institutional reforms are critical to ensuring a strong State administration with the capacity and authority to safeguard and regulate the territory of the Democratic Republic of the Congo and its riches. To this end, the Panel has recommended that the international community assist the Democratic Republic of the Congo intensively in this area. This is a process that will require a systematic and sustained effort on the part of the international community, including the United Nations. This recommendation meshes with the provisions of the Ceasefire Agreement concerning the inter-Congolese dialogue and the re-establishment of the State administration throughout the territory once the dialogue has been concluded.

However, to help break the link between the conflict and the exploitation of resources, the Panel believes that it is urgent to begin making modest, though tangible, progress in institution-building, strengthening the rule of law and re-establishing State authority. In the short term, this will be crucial to confidence-building and to increased stability. Certain actions in this direction have already been undertaken with the help of the international community. These include the drafting of a new mining code and the development of a national budget implementation plan.

The renegotiation of all commercial agreements, concessions and joint ventures enacted since 1997 should be considered an intrinsic part of any institution-building process. While it may be perceived as diverging from the framework of the Ceasefire Agreement, this action is crucial to freeing the Congolese State from the undue influence that certain parties have been able to exert over it. With the goal of eliminating unfair profits and contractual terms obtained under the extreme pressures of wartime, this measure should be viewed as complementary to the

Panel's proposed moratorium. While the Commission of National Experts of the Democratic Republic of the Congo suggested that this could be included in the agenda of the inter-Congolese dialogue, the timing and modalities must be determined in consultation with the Government of the Democratic Republic of the Congo and other sectors.

The risks to the peace process posed by the continuation of a low-intensity conflict in the eastern Democratic Republic of the Congo — in areas where many valuable resources are extracted, traded and routed for export — are considerable. Consequently, the Panel has underscored in its recommendations the importance of the disarmament, demobilization, reintegration and repatriation or resettlement process, a key element of the Ceasefire Agreement, now being undertaken by MONUC. In addition, the Panel has expressed its support for the diplomatic initiatives within the framework of the Ceasefire Agreement aimed at encouraging the parties to intensify their own confidence-building efforts.

Consistent with these initiatives and the modalities for the implementation of the Ceasefire Agreement, the Panel has called for the parties to the conflict to assume the primary responsibility for solving their respective security concerns by reaching a consensus on comprehensive measures and implementing them in a coordinated manner.

In closing, I would like to emphasize that the Panel's recommendations are intended first and foremost to protect the Congolese nation's greatest wealth — its people, its human resources. Their long-term interests and hopes for peace are being sacrificed to easy profiteering. The toll in human lives and suffering exacted by this war and the related trafficking in natural resources has been enormous and continues to mount. Such human losses are quite simply irreparable, and their impact will inevitably be felt for decades to come. However, today, in this Chamber, nothing could serve as a more eloquent reminder of the need for the Council to take decisive action — action to halt the exploitation of natural resources in the Democratic Republic of the Congo, which, increasingly, is both the means and motive for sustaining the conflict.

The President (*spoke in French*): I thank Mr. Kassem for his detailed briefing and for his kind words addressed to me.

The next speaker inscribed on my list is the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, His Excellency Mr. Léonard She Okitundu. I invite him to take a seat at the Council table and to make his statement.

Mr. Okitundu (Democratic Republic of the Congo) (*spoke in French*): At the outset, I should like to say how pleased my delegation and I are to see you, Sir, presiding over this public meeting of the Security Council on the situation in the Democratic Republic of the Congo. I should also like to take this opportunity to pay tribute to the excellent work done by the Permanent Representative of Jamaica during her presidency last month.

Through you, Sir, I would also like to pay a well-deserved tribute to the outgoing members of the Security Council, particularly our African brothers, Tunisia and your country, Mali. I should like to express the appreciation of my country for your tireless efforts in the quest for peace in our region in particular – in Angola, Burundi and my country, the Democratic Republic of the Congo.

At a time when the world is welcoming the notable progress in the Burundi peace process, much remains to be done for Angola and the Democratic Republic of the Congo. I would therefore like to ask our friends who are leaving the Council to continue to champion the cause of Angola and the Democratic Republic of the Congo in all forums, in the United Nations and elsewhere, so as to promote peace, not only for the countries and peoples who have suffered so greatly, but also for all the countries and peoples of the Great Lakes region, which have been in turmoil for more than 10 years.

Before giving my delegation's assessment of the matter before us today, I should like to tell the Council about the outcome of the informal inter-Congolese political negotiations that were held from 6 to 9 December in Abuja, the capital of the Federal Republic of Nigeria. The negotiations were mediated by Assistant Secretary-General Mr. Ibrahima Fall; Ambassador Mogwe and Professor Lebatt, who are members of the national dialogue facilitation team, were also invited as observers.

Generally speaking, the issues discussed related to the major questions still outstanding after the Addis Ababa meeting.

The first issue, which related to the question of inclusive participation, was initially considered in the presence of the United Nations mediator and members of the facilitation team, after which the matter was discussed privately among the Congolese exclusively. During that second, private, meeting, a compromise emerged on the numbers, the quotas and the nature of the participants in the inter-Congolese dialogue. It was agreed that there would be broader representativeness with fewer participants, and this would mean the following: first, the number of participants in the inter-Congolese dialogue would be reduced from 330 to 300; secondly, each of the components — the Government of the Democratic Republic of the Congo, the Rassemblement congolais pour la démocratie (RCD)-Goma, the Mouvement de libération congolais (MLC) and the political opposition — was reduced from 62 to 55 representatives; thirdly, the civil society component was strengthened and raised to 66 representatives in order to allow the participation of religious groups and the Mayi-Mayi resistance; fourthly, traditional chiefs are represented by at least two representatives in each of the three groups present in Abuja; fifthly, as for the external political opposition, the 55 delegates are distributed as follows: five for the outside opposition, 30 for the Gaborone political groups and 20 for other political movements not yet involved in the inter-Congolese dialogue. Finally, each component can bring members of the diaspora into its delegation as it sees fit.

The second point considered was the orderly withdrawal of foreign forces. The Government demonstrated that new Rwandan troops had been deployed in Congolese territory and that there was real difficulty in achieving a resolution through the inter-Congolese dialogue if the occupying forces — mainly Rwandan and Ugandan — did not withdraw from the territory of the Democratic Republic of the Congo before the conclusion of the dialogue. The occupation tends to perpetuate itself, and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) has confirmed that Rwandan troops have been deployed. This is a serious hindrance to the important partnership that the Council had so patiently worked on with the actors in the Congolese drama.

The Rwandan authorities, favouring force as a way of resolving the conflict, have now become the main obstacle to the peace process and to democratization in the Great Lakes region. It is up to the Council to note this and to condemn it strongly, because strengthening the Rwandan military presence poses the obvious risk of a widespread resumption of warfare.

With regard to the elections, the new political order, national sovereignty and territorial integrity, it was decided by common consent to hold a meeting later, when those matters would be taken up. Significant progress was made, which will help in future inter-Congolese negotiations, including the inter-Congolese dialogue scheduled to take place in South Africa.

We are very grateful to the Government of South Africa for offering to host the forum so that we can work towards reconciliation and national harmony, and in general for the tireless efforts of that fraternal country to restore peace in the Democratic Republic of the Congo and to promote the dignity of the Congolese people. My Government welcomes the fact that the participants at the informal negotiations concluded that there was a need to abide by the commitments entered into at Gaborone, including that relating to the inclusive nature of the inter-Congolese dialogue, as called for in Security Council resolutions and as a fundamental principle of the Lusaka Agreement. This should give all Congolese socio-political groups an opportunity to be involved in the national dialogue. The main obstacles to political negotiations, apart from the financial obstacles, have now been lifted.

The Abuja meeting also showed once again that when the Congolese political actors meet among themselves without outside interference, they are always able to understand each other and find compromise solutions. A new meeting of experts is scheduled for early January to prepare for a summit between the President of the Democratic Republic of the Congo and the leaders of the two rebel movements.

At the regional level, after several informal meetings between the Ministers for Foreign Affairs of Burundi and of the Democratic Republic of the Congo, the Governments of the two countries decided to improve bilateral relations. The Minister for Foreign Affairs of Burundi was invited to Kinshasa to consider the modalities for the withdrawal of Burundi troops from Congolese territory and to discuss normalizing diplomatic relations between the two countries.

As for the matter under consideration, the Council has before it the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, activities that violate its national sovereignty. It is important to note that in order to define the aim of its work the Panel of Experts saw fit to define and interpret the concept of illegal exploitation in its report. This includes all kinds of mining, production, marketing and exporting from the Democratic Republic of the Congo without the consent of the legitimate Government — in other words, in violation of national sovereignty, mining codes, environmental provisions, international treaty law and customary law.

In calling into question the countries members of the Southern African Development Community (SADC) that came to help one of their own cope with armed aggression, it seems to me that the addendum inaccurately reflects the relevant facts and also seems to depart from the definition of illegal exploitation as set forth in paragraph 15. No army from a SADC member country would have been brought into my country without the consent of the legitimate Government had the Democratic Republic of the Congo not been attacked, suffered aggression and been invaded.

The Government considers that condemning an initiative that enabled it to defend its national sovereignty amounts to depriving a State of its basic right under Article 51 of the United Nations Charter to resort to individual or collective self-defence to preserve its sovereignty and territorial integrity.

In this connection, we would do well to recall France under General Charles de Gaulle, who spoke before, during and after the Second World War in support of respect for the sovereignty of all States, the preservation of their independence and the maintenance of international peace and security. At the time, France had enjoyed the support and assistance of the Allies.

More recently, under President George W. Bush, the American people is showing exemplary courage in trying to cope, as a nation, with an attack against the "American way of life", which the whole world admires and envies. The United States naturally enjoys support from many other countries in combating terrorism. Our Government and people reiterate their sympathy to the American Government and people and reaffirm the commitment made by Major-General Joseph Kabila, President of the Republic, to join the struggle against terrorism in all of its manifestations.

I am pleased to note that the addendum confirms the conclusions and validates all the elements of the report that appeared earlier in document S/2001/357. The large-scale pillaging and illegal exploitation of the mineral resources of the Democratic Republic of the Congo are proceeding systematically, and this is one of the major issues in the conflict. It can be seen from the addendum that along with the war, and in its shadow, massive economic pillaging — as great as anything Africa has ever suffered from — is under way. It is now established that problems related to insecurity along the borders and instability in the Great Lakes region, invoked by those committing aggression against the Democratic Republic of the Congo, cannot justify the occupation of almost half of Congolese territory by a coalition of armies from other countries, whose front lines are more than 2,000 kilometres from those countries' borders.

The danger that hangs over the effort to establish peace in the Great Lakes region, and in establishing a new political order in the Democratic Republic of the Congo, lies in the fact that the methods of the illegal exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo have become so sophisticated that, as the addendum notes, the illegal economic activities of the aggressors are now self-sustaining and involve almost no financial burden on the countri concerned.

The Commission of National Experts set up by the Democratic Republic of the Congo estimated exports by Rwanda, Uganda and Burundi from 1998 to 2001 at more than $427 million in fine diamonds for jewellery, about $800 million in coltan and more than $24 million in cassiterite.

I note, moreover, that a number of independent inquiries — foremost among which was that of the British Parliament, which I welcome and for which I am grateful — have arrived at the same conclusion reached by the Panel of Experts in last April's report. The British parliamentary report notes that exports, particularly gold and coffee from Uganda, are comparable to those from North and South Kivu, although everyone knows that Uganda produces barely any gold or coffee. The report also singles out Rwanda, which officially acknowledges having produced 63

tons of coltan, whereas it actually exported 603 tons in 2000.

One must therefore ask: Who profits from this crime? My Government would point first to the military-political groups in power in Rwanda and Uganda; businessmen in the two countries; and criminal networks involved in money-laundering through the traffic in drugs, diamonds, coltan and weapons. All of these mafia-like networks promote criminal activity in the Congolese economy and in that of the Great Lakes region as a whole, which has become one of the prime meeting places in Africa for counterfeiters, arms dealers and launderers of drug money.

I am also glad to see that, in paragraph 16, the Panel of Experts rightly stresses another aspect of that exploitation: human resources. The people's resistance to the demands, pillaging and exploitation to which they are subject leads to periodic massacres of local populations by the invaders. It is no coincidence that such massacres always take place in mining areas, such as Kasika in South Kivu and Djugu, Mongbalu and Watsa in Oriental Province. Indeed, all the information provided by national and international human rights organizations — the MISNA Catholic agency, Amnesty International, Human Rights Watch, the International Crisis Group, South Kivu youth organizations and associations, and the Congolese Foundation for Human Rights and Peace — confirms that the war in the Democratic Republic of the Congo is a humanitarian disaster.

Thus, the pillaging and illegal exploitation of the Democratic Republic of the Congo goes hand in hand with massacres, massive population displacements and the abuse of children and of Rwandese prisoners in mining and timber operations. Those organizations have established that over 3 million people have died directly or indirectly because of the war. The International Crisis Group has estimated the number of displaced persons within the country at 2 million and of those outside at 300,000. In a report to the Security Council of 28 November 2000, Ms. McAskie, Deputy Emergency Relief Coordinator, said that 16 million people were threatened by famine because of the war, representing over one third of the Congolese population. A recent report of the World Health Organization indicates that the incidence of HIV/AIDS has increased significantly in recent years in the Democratic Republic of the Congo. The reasons for that increase include the fact that the aggressor forces come from countries where the HIV/AIDS rate is among the highest in sub-Saharan Africa.

Along with exploiting the natural resources and other wealth of the Democratic Republic of the Congo, Uganda military officers have stirred up ethnic conflicts, particularly in Ituri in Orientale Province, where the Lendus and Hemas killed each other in great numbers between June 1999 and October 2000, causing thousands of deaths and displacements.

Similarly, the Congolese will never forget the frenzied, mercenary rush for profits that brought Rwanda and Uganda to bloody confrontation in Kisangani, in Orientale Province. These clashes were denounced by the Government of the Democratic Republic of the Congo, the Congolese people as a whole and the international community. That was a case without precedent in the history of international relations. Never before had the world witnessed two foreign armies cross their respective borders to clash on the territory of a neighbouring country and to claim spheres of influence in which they could exploit resources that did not belong to them

With respect above all to the environment and ecology, almost all of the inquiries undertaken by the most respected agencies have shown that all our national parks, designated by the United Nations Educational, Scientific and Cultural Organization as the collective heritage of mankind, have been systematically devastated. They are subject to poaching as a custom of war and to organized illegal trafficking. The species that live there, which are unique in the world, are often slaughtered with automatic weapons. A report of a Congolese institute for nature conservation notes, for instance that, of the 11,000 hippopotamuses that lived in the waters of Virunga National Park, only 1,000 remain.

I wish to take this opportunity today to make a solemn and urgent appeal to the international community to support my Government's efforts to preserve and protect our many animal species, such as elephants, bonobos, gorillas in the eastern plains, mountain gorillas, chimpanzees, baboons, white rhinoceroses, okapis and Congo peacocks, all of which are being exterminated.

I thank the Panel of Experts for having recognized the tireless efforts made by Major General Joseph Kabila, President of our Republic, as well as his

resolve to undertake reforms, to implement sound macroeconomic policies, to manage public affairs in a wise and open manner and, above all, to respect the law so that everything can be done to ensure the country's economic recovery and reconstruction.

The efforts of the President of the Republic are based on the following exigencies. The national sovereignty and territorial integrity of our territory must be defended. Lasting peace must be restored through a negotiated solution to the war of aggression, which has cost the Congo millions of lives over the past three years. This is needed to end once and for all the horrible suffering and immeasurable misery and death that our people have been subjected to under the aggression. Ways and means must be sought to allow the Congolese people effectively to enjoy fundamental freedoms and basic human rights. More efficient management of public services must be established through reform policies so as to ensure good governance, full respect for human rights and popular participation in the functioning of democratic institutions once peace has been restored. National human and material resources must be developed in order to enable the country once again to become a major political and economic player in Africa. Lastly, dignity and pride, which are cherished by peoples throughout the world, must be restored to the Congolese people.

Today, with the assistance of the Bretton Woods institutions, the Government of the Democratic Republic of the Congo is preparing a new policy to develop the private sector, promote national and foreign investment, reform socio-economic sectors, ensure transparency in management, fight corruption, restructure our armed forces, demobilize child soldiers and reform our judicial system. Along those lines, the Government recently drafted a new mining code. Consultations and negotiations will continue with our national and foreign social and economic partners.

With respect to transparency in public administration, the Government has begun auditing all public enterprises. The audits have been made public and those in positions of responsibility who have fallen short have been punished. Furthermore, I am pleased to inform the Council that the President of the Republic recently ordered the establishment of an anti-corruption commission in order to strengthen the rule of law. The commission of national experts, which is assisting us at this meeting, is mandated not only with investigating the illegal exploitation of the natural resources and other wealth of the Democratic Republic of the Congo, but also with monitoring the review of all agreements concluded by the Government.

My Government has already indicated its agreement with the recommendations made by the Panel of Experts in its report and notes with great interest the comments offered in the addendum. My Government therefore believes that it is up to the Security Council to draw conclusions from the relevant recommendations of the Panel's reports so as to break the linkage that regrettably exists between the pillaging of resources and the continuation of the war in the Democratic Republic of the Congo.

My Government also believes that if the Council wishes to renew the mandate of the Panel of Experts, it will be absolutely essential to strengthen significantly its expertise to enable it to better define, mainly at a purely technical level, the responsibilities related to the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo.

Looking at the overall picture of restoring peace, we must also establish a link between the cessation of hostilities and the economic recovery of our country, while providing a structural framework that will help the Democratic Republic of the Congo emerge from the current crisis.

My Government believes that at the appropriate time the Council should follow up on the request made to it on 3 May 2001 to take prudent preliminary steps to place an embargo on looted products that transit through Kigali, Bujumbura and Kampala.

Primarily, my Government would also be very grateful to the Council if it would agree to the implementation of all the recommendations contained in the report of the Panel of Experts, particularly the following: speed up the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), because only the total and definitive withdrawal of the aggressors can ensure a halt to the plunder of the wealth of the Democratic Republic of the Congo; demilitarize Kisangani, make reparations for material damage in that city and indemnify its people, pursuant to resolution 1304 (2000); impose all possible measures, in keeping with the duties and obligations entrusted to the Security Council by the Charter, against any party that rejects the demilitarization of Kisangani and the

countries that support it; freeze assets of the rebel movements and their leaders, and of companies and individuals involved in the illegal plundering and exploitation of Congolese resources; request Members of the United Nations to stop providing financial assistance to countries that are behind the plundering and illegal exploitation of resources of the Democratic Republic of the Congo; request the International Monetary Fund and the World Bank to suspend their cooperation with aggressor countries if pillaging and warfare continue; request the neighbouring countries of the Democratic Republic of the Congo and transit countries to stop encouraging any kind of economic and financial activities carried out in their territories that are linked with the war in the Democratic Republic of the Congo; support the Democratic Republic of the Congo, because of its financial and moral losses and its economic decline, in its legitimate right to demand financial compensation from the countries and individuals guilty of plundering, whether directly or indirectly; and order legal action to be taken against the authors and co-authors of this plundering and their accomplices.

I cannot conclude without paying a heartfelt tribute to Mr. Amos Namanga Ngongi, Special Representative of the Secretary-General, and all United Nations and associated personnel for their ongoing contribution to restoring peace to my country through their full dedication and total self-sacrifice. I also welcome the atmosphere of trust, mutual respect and real cooperation between the United Nations and the Democratic Republic of the Congo, which certainly facilitates United Nations and humanitarian operations throughout our territory.

The President (*spoke in French*): I thank the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo for the very useful information he has given about the tripartite meeting held at Abuja from 6 to 8 December 2001, as well as for his kind words addressed to me.

The next speaker inscribed on my list is Mr. James Wapakhabulo, Third Deputy Prime Minister and Minister for Foreign Affairs of Uganda. I invite him to take a seat at the Council table and to make his statement.

Mr. Wapakhabulo (Uganda): It is both a pleasure and an honour for me to address the Security Council on the addendum to the report of the United Nations Panel on the Democratic Republic of the Congo. I am particularly happy to see you, Mr. President, from the sister African Republic of Mali, presiding over the Security Council in its search for peace and stability in the Great Lakes region. I can assure you of Uganda's continued commitment to full cooperation so as to enable you and the Council to attain these very noble goals.

Allow me also to congratulate your predecessor, Ambassador Patricia Durrant, Permanent Representative of Jamaica, and to thank her for the excellent manner in which she guided the work of the Council in November. Uganda was touched by the fact that The Right Honourable P. J. Patterson, Prime Minister of Jamaica, personally presided over the Security Council meeting with the Political Committee of the Lusaka Ceasefire Agreement on the Democratic Republic of the Congo on 9 November 2001. That was a clear testimony that Jamaica truly has a special affinity for the plight of Africa and the search for durable peace in the Great Lakes region.

I particularly welcome the presence also of the Assistant Secretary-General at this very important meeting on the Great Lakes region. His presence confirms the importance the Secretary-General and the Security Council attach to addressing the political crisis and the illegal exploitation of the natural resources of the Democratic Republic of the Congo, as well as to bringing stability to the Great Lakes region.

My Government welcomes the release of the addendum to the report of the United Nations Panel of Experts on the Illegal Exploitation of Natural Resource and Other Forms of Wealth of the Democratic Republic of the Congo. My delegation is particularly gratified that the Security Council has afforded us the opportunity to respond to the addendum report of the Panel, which was chaired by Ambassador Kassem of Egypt.

It is my wish to formally present to the Council the Government of Uganda's response to the addendum to the report of the United Nations Panel on the Illegal Exploitation of the Natural Resources of the Democratic Republic of the Congo. That response has already been circulated. The response covers Uganda's observations on the addendum to the report, responds to the allegations regarding the involvement of Ugandan individuals and private companies and outlines Uganda's views on the way forward and the

need to focus on the implementation of the Lusaka Ceasefire Agreement. I wish, therefore, to utilize the short time available to highlight the key elements of this response.

The Council will recall that in early 2000, Uganda, and President Yoweri Museveni personally, supported the proposal to establish a panel of experts to investigate allegations of illegal exploitation of the natural resources of the Democratic Republic of the Congo. Since then, Uganda has extended maximum cooperation to the two investigative United Nations Panels of Experts that visited Kampala in November 2000 and August 2001.

In compliance with the request made by the Security Council, Uganda established, under legal notice 5/2001, dated 25 May 2001, an independent judicial Commission of Inquiry into the allegations against Uganda of illegal exploitation of the natural resources of the Democratic Republic of the Congo, under the chairmanship of Justice Porter, a distinguished Judge from the United Kingdom. I should point out that under the Commission of Inquiry Act of 1914 — which was put in place in 1914, not by us but by our bosses then — the Porter Commission has the powers of the High Court of Uganda, including the power to summon witnesses, compel production of documents and cause police, as servants of the Commission, to search premises. The Commission also has powers to mete out punishment for contempt and perjury. Indeed, the witnesses that have appeared before the Porter Commission include President Museveni, top Ugandan People's Defence Force (UPDF) officers, senior Government officers and various executives of private companies. A number of rebel leaders in the Democratic Republic of the Congo and other Congolese have also given sworn evidence to the Porter Commission on a voluntary basis. The Porter Commission published its interim report in document S/2001/1080. Its mandate has been extended to February 2002 to allow for any new corroborative evidence that Ambassador Kassem's team may be able to share with Justice Porter.

Consistent with our position on the principle of investigation of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, the Government of Uganda is committed to the implementation of the recommendations of the Porter Commission. We are convinced that, in the interest of resolving the crisis in the Democratic Republic of the Congo and promoting peace in the region, all the activities of the parties involved in that country should be above board.

I would like to make a few comments on the addendum report. I will start with the positive improvements in that report, as Uganda sees it.

Uganda has carefully studied the addendum to the report. We believe that the Kassem report reflects a more balanced approach to, and an improved analysis of, the political crisis and the illegal exploitation of the natural resources of the Democratic Republic of the Congo. The addendum covers all parties involved in the Democratic Republic of the Congo, as well as the transit and destination countries for the natural resources of the Democratic Republic of the Congo. We think that this is very positive.

We note that the addendum acknowledges the fundamental reasons for Uganda's involvement in the Democratic Republic of the Congo. It recognizes Uganda's legitimate security interests relating to the threat from terrorist groups in the Democratic Republic of the Congo, which include the Allied Democratic Forces (ADF), West Nile Bank Front, the Uganda National Rescue Front II and the more recently created People's Redemption Army. The addendum also recognizes the fact that the intervention by Uganda in pursuit of the perpetrators of terrorist activities followed the signing of a bilateral protocol on security between Uganda and the Democratic Republic of the Congo in Kinshasa in April 1998.

The Government of Uganda notes with satisfaction and appreciation that since 5 December 2001 the ADF and the Lord's Resistance Army (LRA) have been placed on the list of terrorist organizations by a number of countries, including the United States of America and the United Kingdom. Indeed, this is a confirmation of what the Uganda Government has been saying all along. We sincerely hope that countries which have been praising the ADF and LRA as freedom fighters will now reconsider their support for these terrorist organizations and join the efforts to build peace and stability in the Great Lakes Region.

The addendum confirms that neither the Uganda Government nor any of its companies are involved in the illegal exploitation of the natural resources of the Democratic Republic of the Congo. The addendum clearly shows, for example, that the Dara Forest case study, which was central to the old United Nations

Panel's allegation of Uganda's systematic and systemic illegal exploitation of the natural resources of the Democratic Republic of the Congo was based on false evidence. The reconstituted Panel was able to establish that Dara Forest is not a Ugandan-Thai company but a Kinshasa registered Congolese-Thai logging company; that President Museveni and his family members are not shareholders in the company; and that the Department of Forestry in Kampala was never involved in the falsification of timber certificates to export timber said to be of Ugandan origin when, in fact, it is from the Democratic Republic of the Congo.

Another positive part of the addendum is that it recognizes Uganda's compliance with, and commitment to, the implementation of the Lusaka Ceasefire Agreement and the relevant Security Council resolutions and decisions. It specifically reflects the fact that Uganda has withdrawn 12 of the 14 UPDF battalions it had sent to the Democratic Republic of the Congo. It also appreciates that Uganda is the only country which has complied with the request of the Security Council by establishing an independent judicial Commission of Inquiry on the allegations of illegal exploitation of the natural resources of the Democratic Republic of the Congo.

I wish to reiterate my call to the Security Council of 9 November 2001 for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to deploy adequate forces in Buta and Bunia to enable the immediate withdrawal of the two remaining UPDF battalions from the Democratic Republic of the Congo. The UPDF would remain only on the western slopes on the Rwenzori Mountains on the border. In this context, I wish to inform the Council that MONUC officials recently visited Uganda — they met with me personally — and that the MONUC office in Kampala is currently working with Uganda's Ministry of Defence to finalize compilation of the required technical information for implementation of paragraph 12 (i) of Security Council resolution 1376 (2001).

The reconstituted Panel makes two very significant and pertinent points. First, the fundamental reason for the continuing exploitation by various States, business mafias and individuals is the vacuum created by the effective collapse of all State institutions and structures of the Democratic Republic of the Congo. Secondly, the implementation of the Lusaka Ceasefire Agreement and the start of rebuilding State institutions under a new political dispensation is the only viable way to guard against the illegal exploitation of the natural resources of the Democratic Republic of the Congo.

It is also significant to note that this collapse of State structures explains why the Democratic Republic of the Congo territory has served as a base for the various terrorist groups against Uganda and other regional neighbours. In our view, this is the main cause of the conflict in the Democratic Republic of the Congo.

We have some areas of concern with regard to the addendum. We are concerned about a number of very serious allegations, errors, omissions and weaknesses in the analysis contained in the addendum to the Panels' report.

There are, for example, persistent allegations without corroborative evidence. The Panel alleges that, in spite of the significant withdrawal of Uganda troops from the Democratic Republic of the Congo, some senior officers continue to have networks for illegal exploitation of natural resources in that country. The Government of Uganda views this as a serious allegation. We hope that the Panel will be able to share corroborated evidence and key materials with Justice Porter so as to prove the existence of such networks by senior UPDF officers. I have spoken to Ambassador Kassem and expressed this concern in person. I wish to reiterate the commitment of the Government of Uganda to implementing the recommendations of the Porter Commission.

It is important to point out that evidence was given to the United Nations Panel to demonstrate that UPDF is a disciplined force, both in its track record and the administrative codes. The UPDF is governed by a code of conduct and is subject to the law and other relevant conventions. The statute under which it operates and the attached regulations and standing orders constitute the military code of the UPDF under which it is disciplined.

Our army is subject to parliamentary oversight of its functions. Indeed, President Museveni sent out a strict radio message in December 1998 instructing the UPDF in the Democratic Republic of the Congo not to engage in business. The President also instructed the UPDF, however, to facilitate ordinary, private businesspeople to do business there in order to alleviate the supply of acute needs, such as medicine

and essential commodities. But, importantly, our officers are subject to commissions of inquiry and are tried under the law if they commit offences. For example, a number of UPDF officers who deviated while in the Democratic Republic of the Congo have since been tried and punished.

Uganda is thus concerned that the Panel makes an oblique allegation that UPDF military culture condones illegal activities. This is a very serious allegation without corroborative evidence. Uganda, therefore, hopes that corroborative evidence will be given to substantiate or remove this allegation so that Justice Porter can also get to the root of the matter.

There are some errors in the addendum. In paragraph 48, the Panel alleges that, contrary to evidence, the Uganda Government has denied transit of timber from the Democratic Republic of the Congo through Uganda since 1998. This is not true. I think that this allegation was either made as a technical error or was based on false information. Uganda has always stated that the transit of cargo to and from the Democratic Republic of the Congo has taken place since time immemorial. Detailed data on transit goods from the Democratic Republic of the Congo from 1993 to 2001 and copies of the Democratic Republic of the Congo customs documentation were provided in response to the United Nations Panel's questionnaire by the Uganda Revenue Authority in August and September 2001.

I also wish to point out that there is an agreement establishing what is called the Transit Transport Authority for the Northern Corridor, which was signed in 1985 by Uganda, Rwanda, Burundi, the Democratic Republic of the Congo and Kenya. The mandate for this Transit Transport Authority is to ensure efficient flow of traffic between Bujumbura, Kigali, the Democratic Republic of the Congo, Kampala, Nairobi and the port of Mombasa —in other words, a hinterland Mombasa port. A number of infrastructure projects under this Authority are supported by the World Bank, the European Union and other donor agencies. At the fourteenth ministerial meeting of this Northern Corridor, in Kampala on 23 November 2001, Uganda reiterated its commitment to ensuring smooth traffic flows through Uganda to strengthen regional initiatives for infrastructure development and to harmonize customs documentation and procedures along that Corridor.

In paragraphs 28 and 44, the addendum refers to the continued mining operations by UPDF of gold in the Kilo-moto area and diamonds in the North Kisangani area. The withdrawals of UPDF from North Kisangani and Kilomoto which took place in May/June 2001 have been verified by MONUC. It is, therefore, gross prejudice to allege that UPDF is still involved in gold and diamond mining in areas it vacated six months ago.

Mr. President, there is also what we consider a serious omission. You will recall that in May 2001, Uganda strongly objected to the old Panel's unwarranted attack on the person of President Museveni. As corroborated evidence contradicting the DARA case study demonstrates, allegations by the old Panel against President Museveni's family and the Department of Forestry's involvement in illegal exploitation were based on false information. That is why we feel that it was a serious omission for the addendum to ignore the need to acknowledge the fact that a serious mistake had been made and that it was unjustifiably damaging to the integrity of President Museveni and the Forestry Department.

Uganda, therefore, supports the extension of the mandate of the United Nations Panel to address outstanding issues relating to corroboration of evidence, gross omissions and obvious technical errors. In this connection, Uganda would like to request the Security Council to seriously consider setting up a mechanism that would encourage and enable the United Nations Panel to share information with the Porter Commission of Inquiry.

I will conclude with discussing the way forward. There is the question of an international conference on the Great Lakes. Uganda has welcomed the Panel's proposal to convene an international conference on peace and development in the Great Lakes region. We believe, however, that such an international conference should be held after the implementation of both the Lusaka Ceasefire Agreement on the Democratic Republic of the Congo and the Arusha Peace and Reconciliation Agreement on Burundi. Convening an international conference on the Great Lakes region before the conclusion of the inter-Congolese dialogue would definitely divert attention from the Lusaka Ceasefire Agreement. We are convinced that it should be the responsibility of the transitional government of the Democratic Republic of the Congo to undertake the formulation of a plan of action to rebuild State

institutions and to participate in international conferences focused on the reconstruction and development of the Great Lakes region.

Mention was made of a moratorium on a number of key commodities. The panel recommends in paragraph 156 that a moratorium should be declared banning the purchase and importing of certain products, including gold, coltan, diamonds, coffee and timber originating in the Democratic Republic of the Congo. While the desire to undertake such definitive action to address the issue of illegal exploitation of the natural resources of the Democratic Republic of the Congo could be understandable, the Security Council needs to move very cautiously on the issue of a moratorium. A moratorium would definitely have the effect of sanctions against the small farmers and artisan miners in the Democratic Republic of the Congo who earn their living and access to medicines and other essential commodities through traditional cross-border trade. It would also cripple the capacity of missionary groups and other non-governmental organizations, which are the only organized institutions to deliver humanitarian services in the Democratic Republic of the Congo.

Let me make a small correction here on the statement made by Minister Okitundu that Uganda produces hardly any coffee. The biggest crime we have in Uganda is that we produce too much coffee. Uganda is the leading coffee producer on the African continent. We complete only with Côte d'Ivoire. Sometimes we beat them, sometimes they beat us. But I can assure you that we are within the range of four or five million bags a year, and we do so every year from our own very fertile soil.

Secondly, I know that Uganda has been hit by HIV/AIDS, but we are definitely one country that has, through concerted action, reduced our rate of replication from 30 per cent to 6 per cent, and, as we speak it is still falling. Hence, we should not be condemned for something over which we had no control, but at least we have tried to assert control.

On the question of renegotiation of concessions that is recommended by the Panel, in our view, these should be negotiated under the auspices of the Security Council. However, in our view this would be putting the cart before the horse. We feel that the transitional government that will be established as a result of the inter-Congolese dialogue should have the sovereign responsibility to handle all matters relating to the review of contractual obligations, regulation of revenues from the country's resources and the formulation of a plan of action for rebuilding the country's institutions and structures.

We think that there should be a focus on the implementation of the Lusaka Ceasefire Agreement. We strongly agree with the Kassem Panel that it is the urgent implementation of the Lusaka Ceasefire Agreement and the creation of institutions of a viable State under the new political dispensation that can guarantee against the illegal exploitation of the natural resources of the Democratic Republic of the Congo. The successful implementation of the Lusaka Ceasefire Agreement will, first, put in place a transitional government to ensure the rebuilding of the collapsed State and its institutions and fill the vacuum created by the absence of authority to regulate the exploitation of the country's wealth. Secondly, it will address the security concerns generated by the presence of armed terrorist groups in the Democratic Republic of the Congo to destabilize her neighbours.

In our view the Security Council should stay focused on playing a leadership role in ensuring accelerated disarmament, demobilization, repatriation, resettlement or reintegration of the negative forces based in the Democratic Republic of the Congo and the successful outcome of the inter-Congolese dialogue scheduled to start in South Africa in January next year. In this context, Uganda feels that a summit meeting between the Security Council and the Political Committee should be convened early next year to ensure sustained momentum for the inter-Congolese dialogue and to agree on an enforceable timetable for the establishment of a transitional government in the Democratic Republic of the Congo. Indeed, any specific measures by the Security Council should, in our view, be focused on creating incentives for all parties to implement the Lusaka Ceasefire Agreement.

The President (*spoke in French*): I thank the Third Deputy Prime Minister and Minister for Foreign Affairs of Uganda for his kind words addressed to me.

The next speaker on my list is the Deputy Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania, His Excellency Mr. Abdulkadeer Shareef. I invite him to take a seat at the Council table and make his statement.

Mr. Shareef (United Republic of Tanzania): Allow me to begin by congratulating you, Sir, on your assumption of the presidency of the Security Council for this month. We wish you every success in these troubled times.

I welcome the efforts that the Security Council has been exerting to bring peace and stability to the Great Lakes region in general, and, in particular, to the Democratic Republic of the Congo.

In that regard, the United Republic of Tanzania wishes to reiterate its support for the work of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. It is for this reason that the Government of the United Republic of Tanzania and its institutions extended its full support to the Panel when it paid a visit to my country in pursuit of its mandate.

The Panel visited the United Republic of Tanzania on 17 and 18 September 2001. Notwithstanding the short notice, during the visit it met with senior Government officials from the ministries of Foreign Affairs and International Cooperation, Defence, Energy and Minerals, Industry and Trade, Finance, Transport and Communications, and Home Affairs, as well as the Tanzania Railways Authority. The Panel also met with the Governor of the Bank of Tanzania and the Acting Director General of the Tanzania Harbour Authority. The discussions were conducted in a cordial and frank atmosphere.

Regrettably, the addendum to the report of the Panel has made unsubstantiated allegations against my country. To start with, in paragraph 7, the Panel alleges that information was not forthcoming from, among others, the United Republic of Tanzania and this factor "as well as the constraints of its short mandate, limited the Panel's ability to present a more complete addendum". In the second paragraph of annex I of the addendum, the Panel also "expresses its disappointment at the lack of adequate cooperation from the Governments of ... the United Republic of Tanzania".

It is further regrettable that my Government is accused of demonstrating hostility towards the Panel during its visit to Dar es Salaam. On the contrary, the Panel was accorded every possible assistance to facilitate its work while in Dar es Salaam.

Further reading the report shows that the United Republic of Tanzania is accused of facilitating the transportation of diamonds, timber and coltan through the port of Dar es Salaam. Allow me to take this opportunity to comment on each item referred to in the report.

During its visit to the Bank of Tanzania, the Panel was assured that the Central Bank, which is modelled on the British system, the Bank of England, deals with fiscal and macroeconomic management. It is thus neither a marketing board nor a clearing house for exports and transit goods. Our Central Bank, therefore, does not deal in diamonds. Moreover, diamonds in the United Republic of Tanzania are exported legally by licensed dealers, as acknowledged by the supplementary report of the Monitoring Mechanism on Sanctions against UNITA, document S/2001/966, in paragraphs 188 to 200. We are therefore dismayed that the Panel is repeating the same accusation contained in the report in document S/2001/357 of 12 April 2001 to the Council without making available any evidence which would have helped the Government of the United Republic of Tanzania to conduct further investigations.

As regards timber exports, available records show that the Tanzania Harbour Authority did not handle timber for export during the period under review. However, as the Panel was informed by the Government, the United Republic of Tanzania has been handling cinchona bark from the Democratic Republic of the Congo, and not timber. The Panel claims that it has obtained documents indicating that at least two shipments of timber originating in the Democratic Republic of the Congo were transported through the United Republic of Tanzania. We are surprised, however, that the Panel did not share this so-called evidence with the Government of the United Republic of Tanzania.

Another example is that of coltan, or columbo-tantalite. It is not true that the Government and the Tanzania Harbours Authority "vehemently denied" (*S/2001/1072, para. 24*) that coltan originating in the Democratic Republic of the Congo had ever been exported from the port of Dar es Salaam. However, the reference in the report to the vessel *Karina S* as having shipped coltan and as having left the port of Dar es Salaam on 13 July 2001 is totally inaccurate information. No ship by that name docked and left with the reported cargo at that date or in that period of time.

My Government would appreciate being furnished with evidence that the said ship visited the port of Dar es Salaam as reported.

The United Republic of Tanzania, as a transit country, has international obligations to serve its landlocked neighbours in the import and export trade. Those countries use our ports, railways, roads and airports. As such, unless there are United Nations sanctions imposed by the Security Council against a country or reasons to suspect a particular shipment, the shipping authorities of Tanzania respect the documents of the pre-shipment inspection companies and of the exporting countries. The Government of the United Republic of Tanzania expected the Panel to provide it with its evidence that could prove the authenticity of those claims.

During its visit, the Panel was told that the United Republic of Tanzania does not support or administer on its territory rebel camps of the groups mentioned in the report. We strongly deny the allegation that some Mayi-Mayi groups are based or have established a vaguely structured presence in the United Republic of Tanzania. We regret that those allegations are contained in one sweeping statement without a tinge of evidence, explanation or detail. Such allegations not only damage the credibility of the Panel but also could adversely affect my country's relations with its neighbours, for my country is on record as having played a neutral role with respect to the Democratic Republic of the Congo, right from the beginning of the conflict, and it continues to play such a role.

In the same vein, the United Republic of Tanzania does not serve as a transit point for arms belonging to rebel groups involved in the conflict in the Democratic Republic of the Congo. It is therefore surprising and highly regrettable that the Panel saw fit to accuse the United Republic of Tanzania of acting as a conduit for weapons to the armed groups. I believe the Council is aware that the United Republic of Tanzania has been playing a leading role in the search for peace and security in the Democratic Republic of the Congo and in the Great Lakes region as a whole. In that regard, the United Republic of Tanzania is one of the architects of the Lusaka Accord, whose full implementation would lead to lasting peace in the Democratic Republic of the Congo. We are gratified that the Council has been actively seized of the peace process in the Democratic Republic of the Congo.

The United Republic of Tanzania will continue to cooperate with the Council on this question, and it is our hope that the final report of the Panel will address the shortcomings I have outlined. It is also our expectation and our sincere hope that the Panel will make available to my Government the so-called credible evidence it claims to have obtained on the matters raised in its report. The cooperation of the Panel in that regard would be in the interest of furthering the peace process in the Democratic Republic of the Congo in particular and of ensuring peace and stability in the Great Lakes region as a whole. We look forward to the day in the not too distant future when the situation in the Democratic Republic of the Congo will be so stable as to allow the refugees — of whom the new caseload currently in my country numbers more than 170,000 — to return home.

Another important observation: the report would have been more comprehensive had it included also the end users of the natural resources plundered from the Democratic Republic of the Congo.

I am here not only because the credibility of my country has been called into question by the accusations in the report, but also because those accusations undermine the United Republic of Tanzania's efforts in the pursuit of lasting peace in the Great Lakes region. We respect the sovereignty and territorial integrity of the Democratic Republic of the Congo and its rights over its natural resources for the benefit of all its people. We expect the other neighbours of the Democratic Republic of the Congo, and indeed the international community at large, to do the same. I hope that the Council will understand our concerns. Nevertheless, I would like once again to reiterate that the Council can count on our continued support and cooperation. We have nothing to hide.

The President (*spoke in French*): I thank the Deputy Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania for the kind words he addressed to me.

The next speaker is His Excellency Mr. Patrick Mazimhaka, Adviser to the President of the Rwandese Republic. I invite him to take a seat at the Council table and to make his statement.

Mr. Mazimhaka (Rwanda): Allow me first of all, on behalf of my Government and of my delegation, to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of

December, and on a job well done thus far, half way through the month. We also recognize the distinguished work of the previous President, Ambassador Durrant of Jamaica.

The Government of Rwanda is grateful to the Security Council for having found time on its busy schedule to debate the issue of the exploitation of resources of the Democratic Republic of the Congo, an issue which, in our view, has given rise to a great deal of grief and recrimination on all sides. We thank the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo for the timely completion of its eagerly awaited reports.

The reaction of my Government is set out in Security Council document S/2001/1161. I shall therefore be brief as concerns the details of our reaction.

On the allegations concerning the exploitation of the wealth of the Democratic Republic of the Congo, the Government of Rwanda has noted that, in the present addendum (S/2001/1072) to its report, as before, the Panel, in the case of Rwanda and its Government, did not indicate the names of organizations involved in the exploitation of resources. But we do not have all the details of its investigation; we shall await the Panel's further work on this issue.

Commercial activities allegedly carried out by the Rwandan Government or its army should be carried out, as elsewhere, through recognizable organizations or companies, which has not been the case either time we have had this report.

However, we have noted that, in the case of the allies of the Government of the Democratic Republic of the Congo, a direct link between exploitation and the continuation of the war was established. Our reaction to the previous report was that we had wanted this to be looked at, so it is gratifying, therefore, that work has been done in that direction.

A system of payment through concessions, contracts and joint ventures, which previously had been publicly acknowledged by the parties themselves, is now on record in the work of the Panel.

Some of the resources go to finance the arming and training of ALIR forces — which, again, is something we have been bringing to the attention of the Council over the past year as we try to implement Lusaka and as we continue to encounter difficulties in carrying out the process of disarmament.

Secondly, the Panel did not fully establish links between the exploitation of resources and the operations of the Rwandan Patriotic Army. Once again, if there is any evidence, we did not see it in the report of the Panel and therefore cannot make any further comments on it.

However, in the response that it gave, the Government of Rwanda recognizes that the Panel made recommendations in the right direction. These recommendations point to a positive and constructive approach to the central issues that are at play in the Democratic Republic of the Congo.

The key elements of the Panel's recommendation are, first, that everything must be done to give the Democratic Republic of the Congo effective control over its territory and to protect its resources from illicit exploitation; and secondly, that the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) should accelerate the process of the disarmament, demobilization, repatriation and reintegration of the armed groups.

The Rwandan Government endorsed the Panel's view that, in the absence of a resolution to the conflict, it would be unrealistic to expect that an end could be put to this exploitation. This should refocus our attention onto the full and speedy implementation of the Lusaka Agreement, as we mentioned in our response.

The Government of Rwanda added in its report that the disarmament of the Interahamwe and the former Rwanda Armed Forces (ex-FAR), rebaptized ALIR, will certainly lead to the withdrawal of all foreign forces, including the Rwandan forces. Rwanda in particular has already seen a direct link between the active and hostile presence of these forces and the deployment of its forces in the Democratic Republic of the Congo.

The Rwanda Government also noted that the Panel's acknowledgement that continuing or intensifying fighting appears to be aimed at preventing effective demobilization in the Democratic Republic of the Congo and that credible sources informed the Panel that several ALIR combatants had been incorporated into the Congolese Armed Forces.

Rwanda believes that this shows the Security Council definitively that Rwanda's problem is the support that the Government of Kinshasa has been giving, and continues to give, to these genocidal terrorist forces in their quest to wage war against our country.

We note also that the reports made mention of the leadership of these forces, most of whom are indictable criminals, enjoying unlimited freedom of circulation in the capital, Kinshasa. This goes against the norms and obligations of international law.

Given these realizations and the facts that have been brought to light by the Panel — and which, as I said earlier, we have been bringing to the Council's attention for a long time — one would like, however, to focus on the positive elements of the report and to try to make some specific recommendations for a way forward in the continued search for peace and security in our region.

One of the issues raised by the Panel of Experts is that of the continued low-key war that is being waged in north Katanga and in the Kivus by the armed groups supported by the Kinshasa Government and its allies. We must address this issue and others before we can think about making progress in this direction.

We must look for ways of enhancing the process of ending the conflict as a whole, not elements of the conflict alone. I note here that, when we continue to say that there is a ceasefire along the main front line, we are really being blind to the fact that the front line has shifted eastward towards the borders of Rwanda, Uganda and Burundi.

The second issue is the restoration of full sovereignty to the Democratic Republic of the Congo. This includes State authority and the withdrawal of foreign forces from that country.

My Government could not agree more with the Panel on these two issues. The Lusaka Agreement for a ceasefire in the Democratic Republic of the Congo brings together all of the elements necessary to put an end to the conflict in the Democratic Republic of the Congo. At this stage, two important elements are not receiving adequate attention from the Council, and yet they are indicative of the difficulties we are facing in the process of implementation.

The first is what is euphemistically referred to as the transfer of the war to the east; the second is the inter-Congolese dialogue, which is an essential element in restoring the sovereignty of the Democratic Republic of the Congo.

I will make what I hope are helpful observations as we look for a way forward.

Let me say that, with respect to question of the transfer of the war to the east, it is not really a transfer. The current conflict began in the east, where the ex-FAR and the Interahamwe had been waging a war of extermination against the people of Rwanda. That objective has not changed. However, the same forces — rebaptized ALIR, as I said earlier — took advantage of the deep disengagement carried out by the Rwandan forces to penetrate through a weakened defence to push back into the east, where they had been chased from.

With the help of the authorities in Kinshasa, ALIR is able to obtain the endless flow of supplies needed to sustain the war. The report adequately describes how this is done and how the resources are secured. Whereas forward units continue to wage war in north Katanga and Kivu, a large part of ALIR is effectively integrated into the Congolese armed forces (FAC). Again, the Government in Kinshasa must have the resources to maintain this annex to its own national army. The leadership of ALIR — all of them officers of the ex-FAR, indicted or indictable for genocide — are leading a life of luxury financed by the authorities in Kinshasa.

It is with these facts in mind that the Government of Rwanda proposes the following: the deployment of phase III of MONUC should be done expeditiously. MONUC and the Joint Military Commission (JMC) should systematically carry out surveillance of resupply routes, both by air and by land, and, in this specific case, along Lake Tanganyika. That is within that mandate of MONUC and the JMC.

MONUC and the JMC should monitor and report movements of armed groups, since these are the ones responsible for the continuation of the conflict. The Security Council, and in particular those of its members that enjoy good relations with the Government of Kinshasa, should make strong representations to that Government to stop giving assistance to those forces, in conformity with all recent Security Council resolutions.

The Security Council should call on the International Tribunal for Rwanda to locate and arrest the leaders of ALIR who are already indicted for genocide, with — we hope — the following results: first, the activities of these armed groups, which threaten the peace process, will be severely hampered by these actions; secondly, voluntary disarmament and demobilization can then become a realistic goal; and thirdly, the deployment of phase III of MONUC will then be justified.

On the restoration of the sovereignty of the Democratic Republic of the Congo, we would like to say that that principle has been reaffirmed in the Lusaka Agreement and all relevant Security Council resolutions. It has also been a subject of contention in the context of the current debate about who is responsible for the resources of the Congo — there is a contest between the Congolese actors as to which of them is the legitimate custodian of that sovereignty.

The Lusaka Agreement provides for a straightforward and speedy resolution of this issue, through the inter-Congolese dialogue. Fortunately, the dialogue has begun, and I was glad to hear the Minister for Foreign Affairs of the Democratic Republic of the Congo say that the recent contacts were not in vain, although, because of the many actors interested in the process, the advance of this process is being observed through subsets of the dialogue, rather than the dialogue itself. However, it is not the form that matters; if progress can be made, so much the better.

As the Panel has pointed out in its reports, everything must be done to give the Democratic Republic of the Congo control over its territory so that it can protect its resources from exploitation. It is with that in mind that we encourage the Congolese parties to the dialogue, now fully constituted, to go about the process selflessly, courageously and with a clear sense of the historic importance of the moment.

We urge the Security Council, therefore, to continue to take an active role, directly and through its members, in pushing the dialogue forward. To this end, it is important to do the following: urge the negotiators to return to the table as soon as possible; give all support, financial and political, to the process; urge the Government to take the lead while accepting the roles of other Congolese parties assigned to them through the Lusaka Agreement, to which it is a signatory; and encourage the facilitator and others who are offering help to coordinate their efforts.

In conclusion, the Rwandan Government once again welcomes the reports and fully shares the forward-looking assessment of the problems in the region. The Rwandan Government will continue to support the work of the Panel, as mandated by the Security Council. Rwanda considers the sovereignty of the Democratic Republic of the Congo to be non-negotiable. It can be exercised only on behalf of and for the benefit of the people of the Democratic Republic of the Congo. This includes sovereignty over the natural resources and other forms of wealth they collectively possess.

The Government of Rwanda, however, insists that the military activities carried out by ALIR from the territory of the Democratic Republic of the Congo, with the support of the current Government in Kinshasa, constitute a major obstacle to the full enjoyment of sovereignty by our two sister States. It is therefore imperative that the two Governments work together, within the context of the provisions of the Lusaka Agreement, to fully implement the process of disarmament and demobilization.

The Rwandan Government urges the Government of the Democratic Republic of the Congo to dissociate itself from the activities of ALIR, which is a terrorist organization — an organization led by people who carried out genocide in Rwanda — and to immediately cease the support that it gives to it. In particular, ALIR should be removed from the FAC; its inclusion is a clear indication that the Kinshasa Government is preparing to hide these criminal forces with a view to their future use against Rwanda or against the people of the Democratic Republic of the Congo.

Given our experience over the past seven years, Rwanda can only be reassured by a stable Democratic Republic of the Congo, fully in control of its territory and willing to promote the principles of good-neighbourliness and cooperation. The Government of Rwanda will continue to cooperate fully with the Lusaka Agreement partners and the Security Council in promoting peace and security in the Democratic Republic of the Congo and the region.

Finally, I want to put on record our objection to the repeated accusation by the Government of the Democratic Republic of the Congo that Rwanda is

deliberately infecting the Congolese people with the HIV virus and AIDS.

The President (*spoke in French*): I thank the Adviser to the President of the Rwandese Republic for his kind words addressed to me.

Mr. Levitte (France) (*spoke in French*): I should like, on behalf of France, to extend a very warm welcome to the ministers who have gratified and honoured us by their presence today in the Chamber to take part in a discussion the importance of which we all appreciate.

I wish to associate myself with the statement that the Permanent Representative of Belgium will be making later on behalf of all of the countries members of the European Union. I would just like to make a few comments in my capacity as the representative of France.

It is fortunate that today we have an opportunity, in the presence of high-level representatives of the countries that are our partners in the implementation of the Lusaka Agreement, as well as of Ambassador Kassem and his entire team — to discuss the reports of the Panel of Experts on the illegal exploitation of natural resources of the Democratic Republic of the Congo. Rather than speaking of "reports", I should, perhaps, say "report", because the outstanding study produced by Ambassador Kassem is an addendum to the report presented in April; the two make up one whole. This exhaustive study, which encompasses all the facets of the problem, prompts us today to draw certain conclusions.

First, it is regrettably clear today that plundering has become one driving force — perhaps the main driving force — of the conflict. We had thought that the illegal exploitation was a consequence of the conflict. Now we have a reason to ask ourselves whether the pillaging of resources has not become one of the causes of the continuation of the conflict. Some of the parties involved seem to have an interest in perpetuating the conflict by plundering the resources of the Democratic Republic of the Congo.

There are, of course, some positive elements that we can welcome. Increasingly, the issue is being taken seriously by the parties themselves, as attested to by the work being done in Uganda by the Porter Commission, set up at the request of President Museveni. Nonetheless, much remains to be done. The peace process is still fragile. It is making headway on the question of the inter-Congolese dialogue, as demonstrated by the recent and very encouraging meeting at Abuja, the outcome of which Minister She Okitundu told us about this morning.

For its part, the Security Council has decided on the deployment of phase III of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), and it will soon be able to launch the process of disarming and demobilizing armed groups, which is a legitimate concern of the States of the region. Uganda, as well as Angola and Zimbabwe, have begun to withdraw their troops from the territory of the Democratic Republic of the Congo, while Namibia has withdrawn all its contingents.

Nonetheless, it seems to us that the peace process has not yet reached the point of no return. The military situation is still uncertain, particularly in the east of the Democratic Republic of the Congo. It is in the eastern region that most of the resources now being pillaged are located.

We all know today that the continued illegal exploitation of the resources of the Democratic Republic of the Congo is incompatible with progress in the peace process. Regrettably, as long as some have a choice between pursuing their lucrative activities and the implementation of the Lusaka Agreement, there is little hope that peace will return and that the sovereignty of the Democratic Republic of the Congo will be restored.

We listened with great attention and much interest to the statements that have been made by Minister Wapakhabulo and Mr. Mazimhaka. They rightly insisted on the importance of MONUC's action and on the need to strengthen its presence and speed up its deployment, and we in the Council very much agree with that. We are determined to continue the engagement of the United Nations. They rightly underscored the importance of the dialogue, and the dialogue must make progress. They noted the key importance of the demobilization and disarmament of the so-called negative forces, and they are right. However, if we move towards the withdrawal of forces and the restoration of sovereignty of the Democratic Republic of the Congo, we must not overlook an essential aspect that Ambassador Kassem rightly noted this morning: the link between the pillaging and the maintenance of foreign forces. This is the link that

must be broken. So what must we do, and how should we do it?

Ambassador Kassem's report tells us that the illegal exploitation of the resources of the Democratic Republic of the Congo continues unabated. This situation must end. It is incumbent on those who in one way or another are playing an improper role in these activities, either directly or through the intermediary of movements that they control, to cease and desist. The two reports of the Panel of Experts identify in this regard several States of the region whose troops are present in the Democratic Republic of the Congo. They must give serious consideration to the information contained in these reports and then take the measures required.

Beyond the action of the States concerned themselves, however, the international community in its entirety also has a role to play in inducing the parties concerned to do what is necessary. The international organizations, the specialized mechanisms, the United Nations agencies, the financial institutions and, of course, the Security Council can make a useful contribution to the settlement of this issue and, as a consequence, to the pursuit and achievement of the peace process.

It is in this spirit that we are inclined towards the renewal of the mandate of the Panel of Experts for a new period of six months. That extension will permit us better to monitor the evolution of the situation on the ground. It will also help us identify and prepare the measures that we need to take. Since April this year, the Experts have been presenting us with many sensible recommendations, some of which could profit from clarification. Some of them are innovative — such as, for example, the proposed imposition of a mandatory moratorium on certain resources. These proposals need to be studied in depth. On which materials would the mandatory moratorium be imposed? What impact would such a moratorium have on the financing of the conflict? What impact might it have on the already catastrophic humanitarian situation or the economy of the Democratic Republic of the Congo? All of these are questions that deserve to be studied closely.

One essential principle should guide us in our action: we must not forget who the chief victims of these activities are. They are — let us be clear — the Democratic Republic of the Congo and the Congolese population. It is a cruel and intolerable irony that the extraordinary wealth of this country should be used to inflict greater misery on its inhabitants. We must help the Democratic Republic of the Congo confront this situation, which it has not sought. Moreover, any action by the international community can be undertaken only in close liaison with the Government of the Democratic Republic of the Congo and with its consent.

Our meeting today allows us to continue to be attentive to the views of our partners in the peace process. We shall take into account their observations and the commitments they have undertaken in our presence to put an end to the plundering of the Congo. It is by working together that we shall make progress on this issue.

Mr. Kolby (Norway): I would also like to pay tribute to the ministers for their participation in this important meeting of the Council.

Norway welcomes the addendum report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. I thank Ambassador Kassem for his most commendable efforts in this regard and for his presentation this morning.

It is with deep regret that we note that the systematic exploitation of natural resources in the Democratic Republic of the Congo continues unabated. Unfortunately, a large number of States and non-State actors continue to be involved in such activity. Moreover, the parties' apparent toleration of controlled military confrontation is worrisome.

To the extent that a main motive for the continuation of the conflict is the exploitation of resources, as indicated by the Panel, there is indeed reason to question whether the parties to the conflict are negotiating in good faith. Against this background, the prospects for reaching peace in the foreseeable future may equally be questioned. Norway urges the parties to the conflict to prove that this is not the case and to demonstrate that tangible results in the peace process can be reached without delay.

We share the view that a political resolution to the conflict in the Democratic Republic of the Congo, including through real progress in the inter-Congolese dialogue and the establishment of effective governing structures, would help stop the exploitation of natural resources. Thus, the Government of the Democratic Republic of the Congo and other parties must, as a

matter of priority, participate actively and constructively in the inter-Congolese dialogue.

At the institutional level, we see the need for a plan of action for building proper State institutions in the Democratic Republic of the Congo. More than anything else, the addendum report clearly highlights the fact that various regimes in the Congo, since even before the country's independence, have neglected vital State institutions and functions. Furthermore, politicians have abused these institutions because of personal ambition and other reasons. Therefore, we would like to stress that the building of State institutions can be done only from a comprehensive and long-term perspective.

Taking duly into account any progress made under the inter-Congolese dialogue, this issue could be discussed at a proposed conference on peace and development in the Great Lakes region, which could be very helpful under the appropriate circumstances.

Norway is most supportive of the regional approach that the United Nations and other organizations have taken to the conflict. We are looking forward to receiving the multi-country programme for the demobilization and reintegration of ex-combatants in the Great Lakes region that the World Bank is currently developing. We are also looking forward to the establishment of a complementary regional multi-donor trust fund for financing disarmament, demobilization and reintegration efforts in the region. Norway clearly sees the need for such a programme. We believe that the problems must have regional solutions, and thus we find this regional approach very appropriate.

We note that the Panel of Experts suggests that international financial institutions and donors evaluate their assistance to examine whether it contributes to the continuation of the conflict. This might be a very important exercise to ensure that international financial institutions and donors contribute effectively to the intended purposes, including to helping limit and put an end to the conflict in the Great lakes region. We further agree that all countries should review their national legislation and, if necessary, adopt new legislation to investigate and prosecute illicit trafficking in high-value products that fuel conflict.

Once again, the Panel has reported that various countries have not been forthcoming in providing information to the Panel. We deplore this and urge all countries to cooperate constructively with the Panel and with other United Nations bodies or agencies when invited to do so. We support an extension of the mandate of the Panel in order to keep a close eye on the issue, including those parties that have not been very forthcoming, with a view to helping bring an end to the plundering of resources in the Democratic Republic of the Congo and advance the peace process.

In conclusion, the Security Council should take into account the views expressed at this open meeting before adopting the presidential statement. My delegation will be ready to participate in further work on the draft this afternoon, as proposed by you, Sir.

Mr. Corr (Ireland): On behalf of my delegation, I would like to thank Ambassador Kassem for introducing the addendum to the report of the Panel of Experts. I also thank the Ambassador and the Panel for their dedication and commitment in pursuing their mandate. The Panel has done an excellent job in setting out the pattern of exploitation of the resources of the Democratic Republic of the Congo by the parties to the conflict.

My delegation very much welcomes the high-level presence today from the Democratic Republic of the Congo, Uganda, Rwanda and Tanzania and thanks the ministers and representatives for their statements.

The representative of Belgium will speak shortly on behalf of the European Union. My delegation subscribes to his statement and I make the following points in my national capacity.

The Panel has pointed out that, without a resolution of the broader conflict in the Democratic Republic of the Congo and the region, it will be all the more difficult to expect an end to such exploitation. Ireland shares this view. In taking this matter forward, our primary goal must be to support the Lusaka peace process. My delegation believes that its implementation offers the only viable solution to the conflict in the Democratic Republic of the Congo.

The Panel recognizes that the issue of exploitation is inextricably linked to other serious issues in the region. Nonetheless, regardless of the initial motives which led to the conflict, it is clearly now unacceptable that a primary motive for all parties to the conflict has become the extraction of maximum material and commercial benefits. This is unacceptable in terms of restoring State institutions and unacceptable

in human terms; it is unacceptable that peacekeeping or peacemaking can rest on foundations corrosively undermined by economic injustice. As Ambassador Kassem said this morning, exploitation is both the means and the motive for sustaining the conflict.

In paragraph 16 of its report, the Panel refers to the exploitation of human resources. For my delegation, this is the most profoundly disturbing aspect of the complex situation in the region. That the human rights of the people of the Democratic Republic of the Congo are being systematically violated in such a flagrant and self-serving manner is a matter of the gravest concern and we hope that the Panel will revert to this issue.

As regards further action by the Council and the recommendations of the Panel, my delegation strongly supports an extension of the mandate of the Panel of Experts and we look forward to the adoption of a presidential Statement to this end. A continuing oversight function will serve as an important deterrent factor. Beyond this, however, we need to send a clear signal to all those involved in such activities that the Council is not prepared to see individuals, groups and States benefit from the resources of the Democratic Republic of the Congo at the expense, very often in shocking human terms, of the population of the country.

For this reason, as my delegation has previously stated, we see value in the proposal of the Panel for a voluntary moratorium on the import of specific goods. There is every chance that such action just might, as the Panel intends, have an impact on consumers and persuade them to pressurize the companies that purchase the commodities in question to seek alternative sources.

Bearing in mind the primary objective of supporting the Lusaka peace process, we feel that it would be valuable for the Panel to now look at steps which the Council might take to curb and control exploitation linked to the continuation of the conflict. This should include precise recommendations, where possible, and an assessment of the humanitarian and social impact of such steps. The Panel, in our view, should report back to the Council within six months. Of course, we have full confidence that, in so doing, the Panel will give due regard to balance and progress in the wider peace process. Flowing from paragraph 158 of the addendum, we also look forward to detailed recommendations from the Panel as to how existing international organizations and mechanisms could be used to control the exploitation.

It is clear from the recommendations of the Panel that ending foreign exploitation of the resources of the Democratic Republic of the Congo will not be sufficient to halt exploitation and ensure that the people and the Government of that country will benefit from their resources. Other action will also be required. The international community will have to engage over many years, assisting in rebuilding the State institutions and structures of the Democratic Republic of the Congo. To this end, we look forward to a positive conclusion to the inter-Congolese dialogue and the agreement of the parties on their future political structures, so that the international community can help them in these tasks.

We agree with the Panel that all concessions, commercial agreements and contracts signed since 1997 should be reviewed and revised, with independent international assistance, to ensure that the revenue from the resources of the Democratic Republic of the Congo is put to the use of the country and its people, rather than to lining the pockets of some. Furthermore, we support the recommendation of the Panel that those countries involved, directly or indirectly, in the conflict in the Democratic Republic of the Congo, including countries of transit, should take appropriate steps to address the issues raised in the addendum.

In conclusion, we support an extension of the mandate of the Panel and, if this were to be agreed, we would hope to hear from the Panel again in a few months. More importantly, we look forward before then to tangible progress in the Lusaka peace process. It is our hope that all the parties will have taken real steps towards peace so that, when we revert to this issue again, it will be a case of reviewing the progress made in addressing this issue as part of progress in the overall peace process in the Democratic Republic of the Congo, rather than looking at it as an obstacle to peace in that country.

Miss Durrant (Jamaica): First of all, let me thank you, Mr. President, for convening this meeting on the report of the Panel of Experts on the illegal exploitation of the natural resources of the Democratic Republic of the Congo. We welcome the addendum to the final report of the Panel and wish to thank the Chairman, Ambassador Mahmoud Kassem, for his

presentation today of the Panel's recommendations, and him and his team for the work they have done. We also welcome to the Security Council the Ministers of the Democratic Republic of the Congo, Uganda, Zimbabwe and the United Republic of Tanzania and the Adviser to the President of Rwanda. We appreciate their participation in today's debate and thank them for their statements. Their views will certainly be taken into account in the further deliberations of the Security Council on this matter.

Over the past two years Jamaica has constantly emphasized the importance of the economic underpinnings of various conflicts in Africa, and in the Great Lakes region in particular, where the motivation for profiteering and plunder of resources has been a constant factor in the continuation of conflict. The continued illegal exploitation of the resources of the Democratic Republic of the Congo only serves to perpetuate the conflict in that country, impede economic and social development and exacerbate the suffering of the people of the country. It is for that very reason that we supported the establishment of the Panel of Experts, with a mandate to follow up on reports and collect information on activities of illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo, including violation of the sovereignty of that country, as well as to research and analyse the links between the exploitation of the natural resources and other forms of wealth in the Democratic Republic of the Congo and the continuation of the conflict.

The report before us today clearly demonstrates that there is a link between the exploitation of natural resources of the Democratic Republic of the Congo and the continuation of the conflict. While we appreciate the fact that some progress has been made in the peace process in the Democratic Republic of the Congo, and we recall the debate we had last month with the representatives of the Lusaka Political Committee, we are reminded in the report that the exploitation of the natural resources of the Democratic Republic of the Congo has continued unabated for the enrichment of a wide range of actors, both foreign and Congolese. This is an untenable situation that cannot be condoned.

We have also taken note of the Panel's further emphasis on the exploitation of human resources by all parties to the conflict, which, as the report stresses, is a far graver phenomenon than the exploitation of material resources. This aspect cannot be ignored in our deliberations, as a violation of the human rights of the people of the Democratic Republic of the Congo should not be tolerated. We must also insist that the Security Council's resolutions and the relevant international human rights and humanitarian regulations are respected.

My delegation fully concurs with the Panel's conclusion that in order to end the exploitation of natural resources and to establish a lasting peace in the Democratic Republic of the Congo, the two underlying causes of the conflict must be addressed: the decline of the Congolese State and its institutions and the continued security concerns generated by the presence of armed groups. As we have seen, the persistence of these factors has served to undermine the very gains of the Lusaka Ceasefire Agreement, and if left unchecked, they will inevitably support the continuation of the conflict.

It is in this context that my delegation believes that careful consideration must be given to the Panel's far-reaching recommendations. In the first place, we concur that in the short term emphasis must be placed on the areas of institution-building, restoring the rule of law and re-establishing State authority. This will be critical to confidence-building and to increased stability. We note that some steps have been taken in this regard, including the drafting of a mining code and the development of a national budget implementation plan. These measures, if carefully implemented, could augur well for the re-establishment of State authority.

Secondly, as the Panel report underscores in paragraph 154, the disarmament, demobilization and reintegration process is critical to bringing a lasting solution to the peace process. We therefore agree that the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) should accelerate the disarmament, demobilization and reintegration process in order to reduce the security concerns as expressed by a number of States in the region, including the Democratic Republic of the Congo, to a level that makes it possible for the countries concerned to negotiate among themselves the modalities of securing their borders without infringing upon the sovereignty of any State.

It is therefore clear that the need for MONUC to be deployed throughout the country, especially in the eastern part of the Democratic Republic of the Congo, is critical.

Thirdly, my delegation agrees that at some future date, all the concessions, commercial agreements and contracts signed during the period 1997 to 2001 and subsequently in the rebel-held areas should be reviewed and revised to address and correct all irregularities. We have taken note of the recommendations in regard to the financial and technical aspects of the continuation of the conflict, and we commend the recommendations to the World Bank and the International Monetary Fund and other international donors for their consideration. My delegation supports in principle the imposition of a moratorium as a part of a comprehensive mechanism that would stem the incentive for profiteering and plunder in the Democratic Republic of the Congo and the region as a whole. We believe that the imposition of a moratorium should be targeted not only at the countries and groups in the region, but also at the end users, because what we want to ensure ultimately is that the people of the Democratic Republic of the Congo benefit from the exploitation of their resources.

Finally, my delegation supports in principle the extension of the mandate of the Panel of Experts. We recognize that the time constraints of its short mandate limited the Panel's ability to present a more complete addendum. We would also wish the period of extension of the mandate to be used to refine further the recommendations made in the Panel's report and to assist the Council in operationalizing them.

In conclusion, my delegation wishes to reaffirm our belief that the situation in the Democratic Repubilc of the Congo can be solved only through a regional approaach. We therefore believe that the Lusaka Agreement provides the only current framework in which this can be addressed. We look forward to the full implementation of the Lusaka Agreement and to the ending of the conflict in the Democratic Republic of the Congo.

Mr. Ahmad (Bangladesh): Let me begin by extending a very warm welcome to the Ministers of the Democratic Republic of the Congo, Uganda, Zimbabwe, the United Republic of Tanzania and Rwanda. Their participation in the discussion of the issue before has helped us appreciate their positions better. We are encouraged by their renewed commitment to reaching an early resolution of the problem and the conflict.

I should also like to pay special tribute to Mr. Mahmoud Kassem, Chairman of the Panel of Experts, and members of his team for a task accomplished with a high degree of professionalism, courage and determination.

As we focus our discussion on the Panel report, I would also like to recall with gratitude the work done by the Panel under the chairmanship of Mme Safiatou Ba-N'Daw. With the submission of the addendum, the Panel has completed the basic task of enquiry into the problem and preliminary recommendations to break the nexus between the illegal or abusive exploitation of the resources of the Democratic Republic of the Congo and the continuation of the conflict. The Panel's findings and recommendations assume critical importance as we make determined efforts to advance the peace process in the Democratic Republic of the Congo.

We shall address two issues in particular: first, Council action with regard to the recommendations of the Panel, and secondly, the question of the extension of the mandate of the Panel.

The Kassem Panel has confirmed that the finding regarding the illegal exploitation of the resources of the Democratic Republic of the Congo continues to be true. It has also confirmed the conclusion that there is a clear linkage between the illegal exploitation of those resources and the continuation of the conflict. This linkage has to be broken. The question is how.

The Panel recommends to us a set of three measures: the review and revision of all concessions, commercial agreements and contracts signed between 1997 and 2001; a moratorium on the import of high-value commodities such as coltan, diamonds, gold, cobalt, copper, timber and coffee from territories under foreign occupation or rebel control; and sanctions, depending on the evolution of the situation.

We would have supported the immediate implementation of some of the recommendations, in particular, a mandatory moratorium on the import of high-value commodities from the territories under the control of rebel movements or foreign forces. However, maintaining the imperative of preserving momentum in the peace process, we agree that the Council should take a decision after a thorough study of relevant factors, including the humanitarian consequences of the measures.

The review and revision of all concessions, commercial agreements and contracts would be an effective measure to cut the linkage between exploitation of the resources of the Democratic Republic of the Congo and the war. We are aware of the argument that such a measure can be best undertaken by the new political dispensation, following the successful conclusion of the inter-Congolese dialogue. However, should such a step be ultimately necessary and if the Government of the Democratic Republic of the Congo is in agreement, we shall support setting up a body under the auspices of the Council to assist the process.

As for sanctions, we would hope that the parties would cooperate with the Council to avert recourse to such a coercive measure.

Let me go back for a moment to the original report submitted by Mme Ba-N'Daw in April. We believe the Council should revisit some of the recommendations in that report, in particular with regard to the mineral trade, financial transactions, an arms embargo, military cooperation and compensation. The moratorium on high-value commodities, if and when decided, should ideally also extend to these areas. All concerned, including transit countries and the countries of destination of the Democratic Republic of the Congo's illegally exploited resources, have a moral obligation to join the moratorium.

The moratorium should include the import, export and transport of certain minerals and financial transactions that have been questioned. Countries involved may also consider declaring an immediate moratorium on the supply of weapons and all military supplies to the rebel groups operating in the Democratic Republic of the Congo.

The Council's demand for such interim measures should extend to all actors involved in the illegal activities: Governments, armed forces, individuals and public or private enterprises engaged directly or indirectly in the extraction, transport, import and export of the resources of the Democratic Republic of the Congo.

The second point we would like to address is the need for extending the mandate of the Panel. Bangladesh supports a six-month extension of the mandate for three reasons. The first is to complete the unfinished task. As the Panel reports in paragraph 7 of the addendum, information was not forthcoming from several regional countries. Besides, the short mandate of three months severely limited the Panel's ability to present a more complete addendum. The second reason is that the Panel was also unable to investigate fully the reactions and complaints of those named in the report. The third is the need to examine the feasibility and possible impact of proposed measures. The Panel itself would be the best placed, given its experience, for the monitoring and follow-up of the measures.

In conclusion, we would like to underline that the Democratic Republic of the Congo should have full sovereignty over its national resources. The Council's purpose in pursuing the matter is to facilitate the peace process; it should take all appropriate measures to that end. To end the conflict, we must effectively withhold the means that sustain the war and take away the motive, as these are important steps in that direction.

Mr. Koonjul (Mauritius): I thank you very much, Sir, for convening this meeting to discuss this very important issue in the presence of the general membership. I would like to extend a very warm welcome to the ministers of the Democratic Republic of the Congo and Uganda and the Special Adviser to the President of Rwanda, as well as the Deputy Minister for Foreign Affairs and International Cooperation of Tanzania, present in the Security Council Chamber this morning. We thank them for their very important statements.

My delegation would like to express its gratitude to Mr. Kassem and his team for the very comprehensive addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. The report is indeed very comprehensive.

One of the main objectives of the Panel of Experts was to research and analyse the links between the exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo and the continuation of the conflict. My delegation notes that the conclusion of the Panel demonstrates beyond any doubt the existence of such an unhealthy link.

On a number of occasions, Mauritius has clearly stated that the natural resources of the Democratic Republic of the Congo belong to the Congolese people and to no one else. It is also our firm view that the natural resources of the country should not be exploited to fuel or finance the conflict there. We deplore this

situation, and we would like to reiterate our position on this issue once again.

In April this year, the Panel of Experts submitted its first report, which was very comprehensive in nature. The Panel has now presented an addendum. For my delegation, the findings of the first report and the addendum complement each other, and they should therefore be studied together. Any action by the Security Council must be based on the conclusions and recommendations of both reports.

The reports have pointed clearly to the involvement of neighbouring countries, at either a national or an individual level, in the plundering and the illegal exploitation of the resources in the Democratic Republic of the Congo. Mauritius considers that those countries involved should immediately take necessary measures to cease such activities or, in the case that their nationals are involved, carry out necessary investigations with a view to apprehending those responsible. In this regard, Mauritius welcomes the setting up of investigating commissions in some countries to look closely into the matter.

One of the very important conclusions of the Panel makes it clear that without a resolution of the broader conflict in the Democratic Republic of the Congo and the region, it would be highly unrealistic to expect an end to the exploitation of natural resources and other forms of wealth in the country. The Panel also recognizes that the Lusaka Ceasefire Agreement provides the basis for the settlement of the conflict in the Democratic Republic of the Congo. These conclusions reinforce the fact that we should do everything to fully support the implementation of the Lusaka Agreement and not to deviate from the main track.

My delegation fully agrees with the Panel that, once the peace process is completed, the Government in the Democratic Republic of the Congo would be in a position to exercise full authority over its territory and have full command of its institutions and structures and would hence be able to fully protect its resources.

The Panel of Experts has made three specific recommendations in its addendum — namely, a review of all concessions, commercial agreements and contracts signed between 1997 and 2001, a moratorium banning the purchase and import of precious products originating in the areas where foreign troops are present in the Democratic Republic of the Congo, as well as in territories under the control of rebel groups, and the imposition of sanctions.

With regard to the recommendation calling for the review of all concessions, commercial agreements and contracts signed between 1997 and 2001, we believe that we need to take into account the fact that some of these contracts have been contracted by the legitimate and sovereign Government of the Democratic Republic of the Congo. Therefore, we think that any decision to review these concessions can be made only after the full implementation of the Lusaka Agreement and with the full agreement of the Government of the Democratic Republic of the Congo.

On the proposal of the voluntary moratorium, my delegation recognizes that this is a new idea which needs to be studied very carefully.

The peace process in the Democratic Republic of the Congo has reached quite an advanced stage — indeed, a very critical one — where we are embarking on the disarmament, demobilization, repatriation, resettlement or reintegration (DDRRR) process and we are on the eve of the reconvening of the inter-Congolese dialogue. We should therefore avoid taking any measure which would lead to a hardening of position of the parties to the conflict and which could seriously jeopardize the chances of success of the inter-Congolese dialogue. Any action contemplated by the Security Council should therefore not disrupt the ongoing peace process. Rather, it should assist it in moving the process forward. The implications of any measures for the already disastrous humanitarian and economic situation in the Democratic Republic of the Congo must also be very carefully studied before any action is taken. For the same reasons, we believe that the recommendation of the Panel to consider sanctions also requires thorough study.

Mauritius therefore supports the extension of the mandate of the Panel for a period of six months to allow it to carry out a thorough study and to submit precise recommendations on the possible actions that could be taken by the Council to put an end to the plundering of the natural resources in the country.

Mauritius believes in a holistic approach in the resolution of the conflict and all associated problems in the Democratic Republic of the Congo. We feel that the full implementation of the Lusaka Agreement will cover the illegal exploitation of the natural resources. It

will also take into account the security concerns of the neighbouring States, which have been clearly recognized by the Lusaka Agreement and by the Panel of Experts in its addendum.

We believe that the Council should therefore focus more on speeding up the peace process by considering a robust deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), especially along the eastern borders of the Democratic Republic of the Congo, and on expediting the DDRRR process. We note that several parties to the conflict have committed themselves to withdraw immediately from Congolese territory once there is a large scale deployment of MONUC, which could allay their security concerns. While we insist that all foreign forces should withdraw immediately from the Democratic Republic of the Congo, we feel that perhaps the Council should assist in creating the necessary conditions for such withdrawals.

The efforts spent by the countries of the region through the Political Committee in the settlement of the conflict in the Democratic Republic of the Congo cannot be overemphasized. My delegation understands that consultations are currently being undertaken at the level of heads of States of the region to find ways and means by which these countries could assist in advancing the peace process, including the inter-Congolese dialogue. In our opinion, such initiatives must be encouraged fully.

The idea of convening an international conference on peace and development in the Great Lakes region is very interesting indeed, and it should be encouraged. However, we are of the view that such a conference can be beneficial only after peace has been re-established and once there is a strong Government in the Democratic Republic of the Congo, in full control of all its territory. Such a conference would then be able to focus on the reconstruction, rebuilding and economic development of the Democratic Republic of the Congo and the region as a whole.

Finally, we support the presidential statement that will be issued after this meeting and which will take into account the views expressed by the general membership.

Mr. Kuchinsky (Ukraine): Due to the lateness of the hour, I will try to be very brief. Mr. President, we thank you for convening this important meeting. I would also like to join my colleagues in thanking Ambassador Kassem for the presentation of the report of the Panel of Experts.

We would like to welcome the Ministers for Foreign Affairs of the Democratic Republic of the Congo, Uganda and Zimbabwe, the Deputy Foreign Minister of the United Republic of Tanzania and the Adviser to the President of Rwanda. We regard today's meeting as an important opportunity for the Council to have a substantive interaction with regional States and United Nations membership on this crucial subject.

My delegation appreciates the work done by the Kassem Panel in its investigation in fulfilment of the Security Council mandate. The recent addendum provides the latest appraisal of the situation on the plundering of the resources of the Democratic Republic of the Congo, carried out in violation of the sovereignty and territorial integrity of the country, in disrespect for the ongoing peace efforts in that country and, more importantly, at the expense of its people. We note with interest the Panel's analysis, which explains to what degree the exploitation of natural resources constitutes the motivation behind the activities of specific actors in the Democratic Republic of the Congo and to what extent the exploitation provides the means for sustaining the conflict.

It is of great concern to my country that, according to the report, the illegal exploitation of natural resources of the Democratic Republic of the Congo is continuing for the benefit of the powerful few at the expense of the miserable many. We attach great importance to ending illegal exploitation of the natural resources of the Democratic Republic of the Congo, which prolongs the conflict in the country. We therefore call upon all parties concerned to take immediate steps to put an end to such activities and to ensure full compliance by the individuals and corporations with legally acceptable standards of business.

We take note of the conclusions and recommendations of the addendum to the report and believe that they merit careful consideration within and outside the Council.

At this stage, I would like to express my delegation's support for the recommendation on the establishment of a monitoring mechanism to make progress reports on the subject. This recommendation,

in our view, might be considered in the context of the proposal submitted in the Council on the extension of the mandate of the Panel of Experts, and, at a later stage, in a broader context, of the similar recommendations made by other panels, specifically with regard to the establishment of a permanent monitoring mechanism within the United Nations Secretariat.

In our view, increased international assistance to the Government of the Democratic Republic of the Congo to rebuild State institutions, restore infrastructure and establish effective control over its territory is critically important. In this context, we welcome the initiative of convening an international conference on peace and development in the Great Lakes region.

We have continually noted that the issue of the illegal exploitation of natural resources should be considered in the larger context of the peace process in the Democratic Republic of the Congo and its key aspects: full implementation by the parties of the Lusaka Ceasefire Agreement and relevant Security Council resolutions; disarmament, demobilization, repatriation, resettlement and reintegration; the withdrawal of foreign forces; and, of course, the Inter-Congolese dialogue.

We see the report and the addendum as one of the elements of the international efforts to achieve peace in the Democratic Republic of the Congo and the region. It should serve as an essential impetus to the full implementation of the Lusaka Agreement and relevant Security Council resolutions, and should encourage the efforts for national reconciliation and dialogue in order to achieve lasting peace in the Democratic Republic of the Congo. This is what all of us participating in this meeting are striving for.

Sir Jeremy Greenstock (United Kingdom): We, like others, are very warmly appreciative of the work which Ambassador Kassem and his team have done in producing this addendum. We believe that they have performed a sound professional job that sheds important light on an issue of serious concern, and the United Kingdom has confidence in their objectivity.

The presence of ministers from the Democratic Republic of the Congo and its neighbouring States honours the Council, and we appreciate this clear signal that the Governments of the region are very wisely taking the work of the Panel and of the Security Council seriously.

Belgium will, on behalf of the European Union, make a statement later today, with which the United Kingdom fully aligns itself, but I would like to make one or two quick points in the meantime. We have been clear all along that our goal must be to advance the Lusaka peace process. Of course, there are obstacles and difficulties on the way. But our approach over the past year has been to tackle those obstacles, one by one, head-on, and in an even-handed way.

It is in that light that we view the issue of the exploitation of the resources of the Democratic Republic of the Congo. The Council has to ensure that this exploitation does not continue to be a factor encouraging the continuation of the conflict. What belongs to the Congolese people must be developed to the benefit of the Congolese people.

That applies, of course, to the illegal exploitation of their natural resources, but also to their need for peace, decent Government throughout the territory and normal economic opportunity. As the Panel report makes clear, the only lasting solution is to end the conflict and establish effective governance across the Democratic Republic of the Congo and functioning relations in the whole region.

Transparent and effective management of the Democratic Republic of the Congo's vast resource wealth and fair and transparent trade arrangements in the region would bring enormous benefits. All the parties must seriously commit themselves to this goal. Opportunistic and destructive pillage of resources, without regard for the future of the country or the well-being of its people, has to be brought to an end.

It is not just enough to sign on to a peace process. The parties need to change the environment in which this conflict flourishes — an environment of distrust, opportunism, exploitation and violence. The Congolese parties themselves must focus on shaping a viable and peaceful future for the Democratic Republic of the Congo through the dialogue. Dialogue must also continue and deepen between the Government of the Democratic Republic of the Congo and its neighbours, especially Rwanda, to break down distrust, to address legitimate security concerns and to move forward the disarmament, demobilization, repatriation, resettlement and reintegration process.

To sustain this, we need an interconnecting package of necessary measures. The United Kingdom would therefore support the continuation of the Panel's work. It is clear from today's discussion that this step is entirely necessary.

Mr. Cunningham (United States): Our discussion today focuses on a tragic dimension of the conflict in the Democratic Republic of the Congo: the continuing plunder of the country's natural wealth by foreign invaders, by Congolese rebel groups, by self-proclaimed allies of the Democratic Republic of the Congo and by the continuing corruption within the Government of the Democratic Republic of the Congo itself. It is an important discussion, and I am particularly glad to see the high-level attendance that we have today.

Taken together, the report of the Panel of Experts on the illegal exploitation of natural resources, issued in April, and the addendum to that report, issued in November, give an accurate and compelling picture of the theft of the natural patrimony of the Congolese people. They also make it clear that it is the parties to the conflict themselves, foreign and Congolese, who can end this tragic situation if they have the political will and courage to do so.

I want to address the addendum to the report, which is our focus today. We commend Ambassador Kassem and his Panel of Experts for the preparation of a professional report, which, using sound methodology, followed up on the leads identified in the initial Panel of Experts report.

It is an act of courage to speak the truth to power, and the Ambassador and his team of experts have shown such courage in identifying for the international community the foreign parties and their Congolese proxies who are illegally exploiting the wealth of the Democratic Republic of the Congo, prolonging the conflict and hindering implementation of the Lusaka peace process.

The very fact of this Panel's existence and its work in documenting and informing the Council of the situation in the Democratic Republic of the Congo has had a beneficial effect on the peace process. The first report of the Panel of Experts produced concrete results — Uganda's establishment, for example, of a national Commission of Inquiry to investigate allegations in the report.

We welcome the pledges that several countries have made since the addendum was issued to investigate allegations concerning their nationals. Several Governments, however, refused to fully cooperate with the Panel. We urge them, as well as all other Governments whose nationals are mentioned in the report, to investigate the allegations made and report back to the Council. Each of us has an obligation to cooperate with this type of investigation.

One Government which the Panel identified as not cooperating with its work is Zimbabwe's. We are greatly concerned about the Panel's conclusion that the Government of Zimbabwe is the most active of the Democratic Republic of the Congo's allies involved in the exploitation of the Democratic Republic of the Congo's natural resources, and that this relationship has been used by Zimbabwean officials for personal enrichment.

It is important that the Council continue to let those who are responsible for the theft of the Democratic Republic of the Congo's wealth know that the Security Council is aware of this, will continue to bring them to the world's attention and will seek to assist in ending this plunder.

For this reason, the United States supports an extension of the Panel's mandate for an additional six months. During that time, the Panel should provide recommendations for specific actions that the international community, regional States and the Government of the Democratic Republic of the Congo can take, working through existing international organizations and United Nations agencies, to address the issues in the addendum.

For instance, in the area of timber resources, the United States is working with the African Timber Organization to co-sponsor a conference on forest law, enforcement and governance, which will be held in 2002 in the Republic of Congo and which will focus on the Congo basin's forests. It would be useful for the Panel to make specific recommendations that conference participants could address within the framework of the African Timber Organization to fight illegal logging in the Democratic Republic of the Congo and in the Congo basin.

As the United States assessed the recommendations in the addendum, we were guided by the principle that the Council should take action which will support the Lusaka peace process. Let me say a

word about those recommendations. First, let me say that we have doubts about a moratorium banning the import of gold, timber, coffee and other natural resources from foreign-held and rebel-held areas of the Democratic Republic of the Congo. Such a targeted moratorium on resources from specific areas would likely be unenforceable because of the difficulty of tracking these kinds of commodities. It also seems likely to us that such a moratorium would run the risk of having a negative impact on the Congolese people themselves. It might be more effective to address export controls on natural resources through existing international mechanisms. To address illegal logging in the Democratic Republic of the Congo, for example, as I mentioned, the United States is working with the International Tropical Timber Organization and with the United Nations Forum on Forests. We urge other States to join us in those efforts.

We support the Panel's call for a review by all States in the region of their existing legislation to determine whether new laws are needed to investigate and prosecute illegal trafficking in the resources of the Democratic Republic of the Congo. But such a review can take place without a moratorium having been declared.

The report calls for a United Nations review of the concession agreements entered into between the Democratic Republic of the Congo and other Governments and private entities. The Panel's call for a review of concession contracts is sound and should be pursued. We think that the review would be better undertaken by organizations that already have the expertise that is needed. It is not necessary to create a new mechanism. The World Bank and the International Monetary Fund (IMF) are best positioned to undertake the review of existing contracts between the Democratic Republic of the Congo and other entities as part of their renewed assistance to the Democratic Republic of the Congo. The review should, of course, be in full cooperation with the Government.

We strongly agree with the Panel's call for the World Bank, the IMF and international donors to evaluate their assistance to the Democratic Republic of the Congo in order to determine whether any of their assistance is being diverted to finance the conflict in the Great Lakes region. It is key for those entities to bolster the transparency and efficiency of their assistance programmes.

In conclusion, let me emphasize a key point in my Government's approach to the issue of illegal economic exploitation. The pursuit of the natural wealth of the Democratic Republic of the Congo was not the initial cause of the conflict in the country and in the region. But, as the addendum to the report makes particularly clear, the pursuit of that wealth is the reason why many parties want the conflict to continue and why they act to block the Lusaka peace process. Those parties know that if Lusaka is implemented the days of plundering the wealth of the Democratic Republic of the Congo will end. Our goal, therefore, must continue to be the full implementation of the Lusaka Ceasefire Agreement. A peace based on the Lusaka Agreement is the surest, and ultimately the only, way to stop the crimes outlined in these reports as well as to spark an economic renewal for the region.

It is now up to the leaders of the States and groups identified in these reports to demonstrate the courage and will to end this exploitation and to allow the Lusaka peace process to bring peace to the region.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): The Russian Federation is grateful to the Panel of Experts chaired by Ambassador Mahmoud Kassem for the substantive addendum (S/2001/1072) to its report on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo. The information in the addendum gives us a better understanding of what is taking place in that country and sheds greater light on the interests of the parties involved in the conflict. We are disturbed by the information that large-scale plundering of natural resources of the Democratic Republic of the Congo continues, in violation of the sovereignty and territorial integrity of that country.

Accordingly, and in the light of the request of the authorities of the Democratic Republic of the Congo that the Panel should continue its work to formulate effective measures to put an end to the illegal exploitation of natural resources of the country, the Russian Federation is willing to support renewing the mandate of the Panel of Experts for a period of six months. We call on all States named in the report to cooperate with the Panel in its work, and scrupulously to clarify the situation regarding the natural resources and other forms of wealth of the Democratic Republic of the Congo. Such illegal exploitation must come to an end, no matter who is engaging in it, and the sooner the better.

We agree with the main conclusion of the report, that the situation regarding the natural resources of the Democratic Republic of the Congo came about solely because of the collapse of the country's State structures. We endorse the view of the Panel that the best way to solve the problem is to help the Congolese authorities gain effective State control throughout the territory, so that they can protect their natural resources. We also view as reasonable and sensible the recommendation that this process should be linked to the convening of an international conference on peace and development in the Great Lakes region.

We believe that the settlement of the conflict in the Democratic Republic of the Congo is a prerequisite for success in that regard. Here, we agree that the efforts of the United Nations Organization Mission in the Democratic Republic of the Congo must be focused on ensuring the withdrawal of foreign forces from the territory of the Democratic Republic of the Congo and on the voluntary disarmament, demobilization, reintegration and repatriation or resettlement of members of armed groups. We think it is logical that, following the outcome of the inter-Congolese dialogue, the rebuilding of State structures in the Democratic Republic of the Congo will at some point require analysis and review of concessions issued by previous Governments for the exploitation of the country's natural resources. We feel that, if necessary, there could be discussion of involving expert assistance from the International Monetary Fund and the World Bank in trying to address that task. At the same time, we consider that this process lies fully within the competence of the national authorities of the Democratic Republic of the Congo.

In approaching the problem of the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo, Russia is guided by the fact that in the final analysis, it is the armed conflict that underlies that problem as well as the problems of refugees and internally displaced persons, child soldiers, violations of human rights, the humanitarian crisis and many, many other problems. Only recently has there been some movement towards a settlement of the conflict. We consider that progress towards a political settlement in the Democratic Republic of the Congo must be a priority for the Security Council. In our view, by focusing on that, the Council would be shouldering its Charter responsibility for the maintenance of international peace and security.

Mr. Mahbubani (Singapore): The hour is late. I will try to be quick. In some ways, that is easier for us, because many of the key points that we had wanted to make have already been made by several speakers today. They include the fact that the plundering of the resources of the Democratic Republic of the Congo is unacceptable. We must put a stop to it, and the Security Council must find effective ways and means to do so. There seems to be a clear consensus on this matter.

What can we say to add value to this process? First, we want to welcome the high-level presence we see here today. I was pleased that I was able personally to listen to most of the speeches by the ministers who have come here. I think we should take on board what they have told us.

Secondly, there seems to be also a general recognition that Ambassador Kassem and his team have done good work, and — if I may quote what I call the "buzz" in the United Nations corridors — that buzz is that the Kassem report is better than the Ba-N'Daw report. I think that it is important for the Panel to know that.

The challenge now is for the Council to respond effectively to the work of the Panel. Let me make a few small procedural points here.

First, having served on the Council for a year, we have noticed that several panels have been set up and that each panel works in separate compartments, with no transfer of best practices from one to another. We hope that at some point this will be done, because I think that some of the good work done by the Kassem Panel can be shared with the other panels.

Concerning the second point in terms of procedure, we share Norway's view that the views expressed today, both by the members and the non-members of the Council, should be taken on board in the preparation of the presidential statement to be adopted following this debate. We understand the desire of some to adopt the presidential statement as quickly as possible. However, we have some concerns about that, because we feel that we should reflect on some of the views expressed here.

I will give an example. The Deputy Foreign Minister of Tanzania said earlier today, in another important observation, that the report would have been more comprehensive had it included also the end-users of the natural resources plundered from the Democratic

Republic of the Congo. Points such as this one should be taken on board when we decide how to respond to the Panel.

Similarly, just listening to the members, we heard a very interesting discussion of the pros and the cons of the moratorium, which, as we all know, was an innovative idea put forward by the Kassem Panel. We note the division of views. Our own view, frankly, is that this is a positive idea that should be taken on board. However, we would suggest that, in order to do all of that, we need more time for reflection. We hope that there will not be a rush to adopt a presidential statement, because, in our case, we have to refer it to our authorities before we can make a decision.

It is also important to bear in mind the fact that the issue of the plundering of resources, as everyone has said, is linked to the continuation of the conflict. I should like to quote a few words from a very important study entitled "Greed and Grievance", which, in a sense, is a landmark study which points out how conflict and resources are linked. The study, carried out by Mats Berdal and David Malone, notes that:

> "The continuation of seemingly senseless civil wars is sometimes linked to the rational pursuit of economic goals by the warring factions."

Indeed, this paradox is highlighted in the Kassem report, which notes in paragraph 60 that:

> "Peace could bring added pressure from many sides for greater transparency, oversight and accountability, and could ultimately prove far less profitable for some."

The paradox here, therefore, is that the incentives are for conflict rather than for peace. If we want to end the conflict, we have to think about how to remove the incentives.

Finally, the Council may recall that, in the discussions that we had in the informal consultations, we suggested some principles that we hoped would be taken on board by the Council in considering this issue. I will go through them quickly, in the hope that they will, in fact, be taken on board.

First, no outside parties or groups sponsored by such parties should benefit from the exploitation of the natural resources of the Democratic Republic of the Congo at the expense of that country.

Secondly, the natural resources of the Democratic Republic of the Congo should not be used to finance, or serve as an incentive to prolong, the conflict in the country.

Thirdly, the resources should be used only to benefit the country and the people. In this regard, we welcome the recent steps taken by the Government of the Democratic Republic of the Congo to attract genuine foreign investment to restructure, modernize and liberalize the mining sector.

Fourthly, any proposed measures against illegal exploitation should take into consideration the humanitarian and economic costs to the innocent peoples affected.

I think that I will end here, with the observation that many important points have been made in the course of the debate this morning and that we hope we will have sufficient time to reflect on them.

Mr. Tekaya (Tunisia) (*spoke in French*): Let me at the outset express my delegation's deep appreciation to the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo for the considerable work it has done under the mandate given it by the Security Council.

The Panel has just presented to us an important addendum to the report that was submitted in April 2001. The two documents, taken together, represent a very useful reference tool.

I should like also to welcome the participation in this meeting of the Foreign Ministers of the Democratic Republic of the Congo, Uganda, Rwanda and the United Republic of Tanzania. Their participation attests to the importance they attach to the matters we are considering. We listened very attentively to the explanations they have given us, which the Council will duly take into account in its deliberations on this matter.

We welcome the initiative of engaging in a frank and constructive dialogue with the countries of the region about the prospects of moving ahead with the peace process in the Democratic Republic of the Congo, in particular given the fact that our meeting is being held at a time when the momentum of the peace process — which is holding steady — needs to be strengthened further, so that it can reach the point of no return.

Last month the Council held a meeting with the Political Committee that led to important decisions on the deployment of phase III of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The Minister for Foreign Affairs of the Democratic Republic of the Congo — whom my delegation would like to thank warmly for the kind words he addressed to Tunisia, an outgoing member of the Security Council — has just provided us with important information about the Abuja meeting on the inter-Congolese dialogue. In this context, we encourage the Congolese parties to continue their efforts in order to ensure a successful outcome to the dialogue.

We welcome also the contacts undertaken between the Democratic Republic of the Congo and Burundi with a view to normalizing their relations. This could certainly help in restoring peace to the region.

We encourage also all bilateral and multilateral initiatives for dialogue among the States of the region, because this would speed up implementation of the Lusaka Ceasefire Agreement and lay the foundation for peace, security and stability in the Great Lakes region.

The addendum submitted to us by the Panel of Experts confirms that the systematic exploitation of the resources of the Democratic Republic of the Congo continues, and it confirms a very clear link between the continuation of the conflict and the illegal exploitation of the resources of the Democratic Republic of the Congo.

The Panel believes, however, that it would be unrealistic to hope that this exploitation could end before the conflict is settled. We agree with that view, and we believe that the Council has a very basic responsibility in that connection.

The Panel of Experts offered conclusions and recommendations that are very important for the Democratic Republic of the Congo and for the region. We must carefully study those recommendations and conclusions, as should the parties involved.

We believe that the Council should take a dual approach. It should consider the recommendations of the Panel of Experts with a view to taking the right decisions thereon, so as to have the desired impact on bringing to an end the plundering of the resources of the Democratic Republic of the Congo and also bringing about an end to the conflict. Such measures should be well thought out. We believe that this should be done in parallel with ongoing efforts to help the Democratic Republic of the Congo re-establish full sovereignty throughout its territory and over its resources and to help it in its efforts towards reconstruction and economic recovery.

It bears repeating that the main aim of the Council is to put an end to the war and to promote peace and security throughout the region. Indeed, we believe that any action taken by the Security Council must encourage the parties to effectively implement Council resolutions and to take concrete steps to move the peace process forward.

We believe that it would be useful to extend the mandate of the Panel of Experts; that would enable us to continue to follow the situation on the ground, thereby enabling the Council to fully assess the situation.

We attach the greatest importance to ending the illegal exploitation of the resources of the Democratic Republic of the Congo; ending the war once and for all; and ensuring that the sovereignty and territorial integrity of the Democratic Republic of the Congo are restored. We also want to see the final, speedy and complete withdrawal of foreign forces from the Democratic Republic of the Congo. Likewise, we attach great importance to respect for the sovereignty and territorial integrity of all States in the region.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): We would like to associate ourselves with the comments of other members of the Council in welcoming the presence at this meeting of the Foreign Ministers of the Democratic Republic of the Congo and the Deputy Foreign Ministers of the United Republic of Tanzania and Uganda, the Adviser to the President of Rwanda, and to thank them for their contributions to the debate. I would also like to welcome the other delegations that will be making statements later on. I should like to stress that each and every statement will be taken into account when considering the text of the draft presidential statement to be adopted at a later stage.

The Panel of Experts chaired by Ambassador Kassem has provided us with a report prepared with meticulous care and dedication. The information that it contains continues to be a cause for concern for my delegation. As a result, Colombia would like to support

the report's conclusion that all forms of illegal exploitation of the natural resources of the country must end and that steps must be taken to overcome the institutional weakness of the Government of the Democratic Republic of the Congo, which is currently preventing it from monitoring and administering those resources. Furthermore, the international community should assist in rebuilding the institutions of the Congolese State and continue to promote the implementation of the provisions of the Lusaka Agreement, which is the only means of restoring peace to the Great Lakes region.

Colombia believes that it is right to publicly name and shame those individuals, groups and countries that take part in illicit activities associated with the illegal exploitation of coltan, gold, copper, cobalt, diamonds and timber from the Democratic Republic of the Congo.

What this Council cannot do is remain indifferent in the face of actions that imperil international peace and security in the Central African region. Such actions represent the improper appropriation of resources in order to fuel war. We refuse to accept a situation in which the natural resources of the eastern provinces of the Democratic Republic of the Congo, instead of providing a basis for the emancipation of millions from poverty, are used to purchase weapons, finance acts of savagery and perhaps enrich a few individuals that we could describe as warlords.

We therefore advocate the taking of additional measures against the exploitation of the human and natural resources of the Congo; some of those measures will have to be reflected in the document that will adopted as a result of this debate.

In this regard, first, we support the idea of an extension of the mandate of the Expert Panel for six months, with specific monitoring tasks being set. Secondly, we strongly urge the transit countries for resources originating in the conflict zone of the Democratic Republic of the Congo, and the contries that receive such resources for industrial processing, to conclude — or, in some cases, to begin — investigations into the individuals and companies that have been named. We look forward in particular to the conclusions of the Porter Commission of Uganda.

Thirdly, we recommend that the Panel of Experts, in consultation with the Kinshasa authorities, study the economic and humanitarian effects of a possible suspension of the import of such resources with the aim of reducing the income of the actors involved in the conflict.

Fourthly, we would like international arms and munitions merchants also to be named and shamed, as they are sustaining the fighting capacity of the armed groups that are committing atrocities against the civilian population of the Democratic Republic of the Congo.

Above all, however, we will continue to monitor compliance with the commitments that the parties to the Lusaka Agreement have undertaken in order to accomplish the invaluable task of restoring peace to the Great Lakes region. The withdrawal of foreign troops and plans for the disarmament, demobilization and reintegration of ex-combatants, with verification by the United Nations Organization Mission in the Democratic Republic of the Congo, are the signs we are waiting for to show that there is a will for peace. We would also like to see progress in the inter-Congolese dialogue, and we wish to highlight the service to Africa being provided by the Government of South Africa in offering to host the next meeting.

My delegation will continue to work with determination on this issue in the Council for the promotion of peace in the Democratic Republic of the Congo.

Mr. Wang Donghua (China) (*spoke in Chinese*): The Chinese delegation welcomes the Foreign Minister of the Democratic Republic of the Congo, the Third Deputy Prime Minister and Minister for Foreign Affairs of Uganda, the Deputy Minister for Foreign Affairs of the United Republic of Tanzania and the Adviser to the President of Rwanda, and thanks them for their presence at this open meeting of the Security Council.

The Chinese delegation would like to thank Ambassador Kassem and the other members of the Panel for the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. This addendum has attracted the attention not only of the Security Council, but also of the parties concerned. We note that some countries have already responded to the addendum and expressed the wish to cooperate earnestly. It could be said that, in a way, the addendum has already made a difference.

At the same time, we must not underestimate the grave nature of the illegal exploitation of the natural resources of the Democratic Republic of the Congo. Seven months have passed since the Security Council began its consideration of this issue last May, but it seems that little has changed. The illegal exploitation and plundering of the natural resources of the Democratic Republic of the Congo continue unabated. It is imperative for the Security Council to pay attention to this situation and take appropriate measures to stop the illegal exploitation and plundering of the natural resources of the Democratic Republic of the Congo.

The addendum of the Panel of Experts makes a number of recommendations that will help the Security Council in the next phase of its consideration of the conflict in the Democratic Republic of the Congo and in trying to promote peace in the Great Lakes region.

At the same time, we also believe that the illegal exploitation of the natural resources of the Democratic Republic of the Congo is only one among many issues concerning the conflict in the Great Lakes region. We hope that the Security Council's consideration of the addendum will go a long way towards sustaining and increasing the momentum for a political solution to the conflict in the Democratic Republic of the Congo, and continue to move forward the inter-Congolese political dialogue to a successful conclusion on the basis of ensuring the territorial integrity and sovereign independence of the Democratic Republic of the Congo.

In conclusion, we also favour an appropriate extension of the Panel's mandate so that it will continue to monitor the illegal exploitation of the natural resources of the Democratic Republic of the Congo.

The President *(spoke in French)*: Considering the lateness of the hour and the constraints of the calendar of the Minister for Foreign Affairs of Zimbabwe, we will invite him to make his statement once members of the Council have finished their interventions.

I will now make a statement in my capacity as representative of Mali.

My delegation welcomes the remarkable work accomplished by the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. We would like to join in paying tribute to Ambassador Kassem and his team for preparing the addendum to the final report.

This addendum, which is before the Council today, establishes clearly the linkage between the illegal exploitation of the natural resources of the Democratic Republic of the Congo and the continuation of the conflict in the country. I would like to recall Mali's position of principle in this regard, which condemns strongly all illegal exploitation of natural resources and other forms of wealth of an independent and sovereign State.

Now that it is established that exploitation of the natural resources of the Democratic Republic of the Congo feeds the continuation of the conflict, the question arises: what is to be done? My delegation is of the view that an extension of the mandate of the Panel of Experts for six months is necessary so that the Security Council can be better and more widely informed about this issue and reflect more on what measures to take to put an end to this situation.

My delegation also endorses the recommendation that a moratorium be imposed on the importation of certain resources, particularly coltan. We believe this measure is an innovation that would widen the array of instruments at the disposal of the Security Council. However, my delegation shares the view expressed by many delegations on this issue, that the Panel of Experts should study the matter in greater depth to discern the possible impact of such a measure on the population and economy of the Democratic Republic of the Congo. Finally, we think it is essential to preserve the momentum of the Lusaka peace process, with full respect for the territorial integrity and sovereignty of the Democratic Republic of the Congo and of other States in the region, thus contributing to the definitive return of peace and stability to the Great Lakes region that we all hope for.

I now resume my functions as President of the Council.

I now invite the Minister for Foreign Affairs of Zimbabwe to take a seat at the Council table and make his statement.

Mr. Mudenge (Zimbabwe): At the outset, Sir, let me congratulate you on your assumption of the presidency of the Security Council for this month.

My delegation welcomes the convening of this open debate on the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo. Having participated in the debate on the ground-breaking earlier report on the illegal exploitation of the resources of the Democratic Republic of the Congo, on 3 May 2001, my delegation has requested the floor to express its views on the follow-up report before us.

Mr. President, I know you are familiar with the African saying "Cash talk breaks no friendship", which is really a call for candid and frank discourse. My submission will adhere to that wise, time-honoured saying and call a spade by no other name — it is a spade, not a "digging instrument".

It is both a misnomer and a travesty of justice to try to pass off the document before us as an addendum to the April report by the United Nations Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo.

In this addendum, the difference between a legal and an illegal business transaction has been abandoned. "Same difference", it seems to say. But, sadly for those who put the addendum together, the difference is not the same. The committee abandoned its terms of reference in pursuit of a new agenda of its own — or is it someone's private agenda?

Reacting to this report, the Information Minister of the Congo, the Honourable Kikaya Bin Karubi, rejected any suggestion that Angola, Namibia or Zimbabwe was looting the resources of the Congo. According to the Minister:

> "These were countries that came to our rescue in this war of aggression. Zimbabwe, Angola and Namibia are here at the request of the Government and the people of the Democratic Republic of the Congo, and in the process we have signed legitimate agreements to go into business ventures, and these agreements exist with countries throughout the world. On the other hand, Rwanda, Uganda and Burundi invaded our country and are looting the resources of the Congo and at the same time killing our people. More than 3 million have died as a result of this war. So you cannot put Zimbabwe, Angola and Namibia on par with Rwanda, Burundi and Uganda."

But then the new report casts a slur and doubt on the legality and authority of the Governments of the Democratic Republic of the Congo since 1997. This offensive misadventure leads the Panel into dangerous waters. To blur the difference between legality and illegality, the document abandons the Security Council terms "invited" and "uninvited" countries and settles for the term "allies" of what it refers to as "the Kinshasa Government" or "Government in Kinshasa" — see paragraphs 70 and 71 of the addendum. I shall deal with the connotations of the latter phrase elsewhere in order to expose its subversive nature.

Minister Karubi's observation is an echo of President Joseph Kabila's and, indeed, the Congolese people's position vis-à-vis the illegal exploitation of their natural resources.

With the Council's permission, I will go down memory lane with the express object of reminding the Council of what transpired here on the occasion of the debate on the report of the United Nations Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo on 3 May 2001.

On that occasion, my delegation submitted that President Joseph Kabila of the Democratic Republic of the Congo had addressed the Parliament of Zimbabwe on 27 March 2001. After expressing appreciation for the African solidarity shown by Zimbabwe, Angola and Namibia in responding to the request of the legitimate Government of the Democratic Republic of the Congo to defend its territorial integrity and sovereignty, and after inviting and encouraging mutual beneficial economic cooperation between Zimbabwe and the Democratic Republic of the Congo and referring to "our mutual projects, like the Senga Mines", among others, he had this to say:

> "The joint ventures between our two Governments are not to be confused with the looting of the mineral resources of the Democratic Republic of the Congo, as is the case in the occupied zones of my country."

He went on to say:

> "Other projects have already started on a strong footing, including the joint venture

> between the Civil Aviation Authority of Zimbabwe and the Régie des Voies Aériennes, its Congolese counterpart, the Air Zimbabwe and the Lignes Aériennes Congolaises project, the National Railways of Zimbabwe and the Société Nationale des Chemins de Fer Du Congo, the Zimbabwe Electricity Supply Authority and the Société Nationale d'Electricité, to name just a few."

He went on to invite experts from both sides to come up with "new creative projects that will benefit our two countries", adding that

> "we must accelerate the implementation of the Memorandum of Understanding, which included free circulation of goods and people between our two countries."

President Joseph Kabila concluded by saying:

> "The relationship between the Democratic Republic of Congo, Angola, Namibia and Zimbabwe in particular and the Southern African Development Community region in general must be a good example of integration and southern African cooperation."

Who is better qualified to pronounce on the legality of the economic cooperation between Zimbabwe and the Democratic Republic of the Congo than the President of the Democratic Republic of the Congo himself? But, of course, to the Panel that wrote the addendum, it seems he is only the President of the "Government in Kinshasa" and not that of the Democratic Republic of the Congo.

The Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo was established at the request of the Government of the Democratic Republic of the Congo, then led by the late President Laurent Desiré Kabila. It must be recalled that the Government of the late President Laurent Kabila was accepted and recognized as the full, sovereign and legitimate Government of the Democratic Republic of the Congo by the Southern African Development Community (SADC), the Organization of African Unity (OAU), the Non-Aligned Movement, the United Nations and all other international organizations. Even the Security Council in its resolutions recognized and accepted this fact. My delegation therefore finds it unacceptable for this report to refer to the legitimate Government of the Congo as "the Kinshasa Government" or "the Government in Kinshasa".

This language is reminiscent of the language used by the rebels prior to the signing of the Lusaka Ceasefire Agreement in July 1999. This language is an apologia for the invasion of the Democratic Republic of the Congo. We find it unacceptable that a United Nations document should serve as a propaganda mouthpiece for positions which are intolerable and have since been largely abandoned by their progenitors.

As a former Chairman of the Political Committee charged with the implementation of the Lusaka Ceasefire Agreement, I appeal to the United Nations to expunge from all its documents such language, which has been rejected by the Political Committee as undermining the peace process. Whenever any of the parties to the Lusaka Process uses such phrases, he or she is immediately asked to withdraw and required to refer to the Government of the Democratic Republic of the Congo, as provided for in the Lusaka Agreement. A representative of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) is always present at our meetings and it is therefore unacceptable that a United Nations Panel should be so insensitive on such an important issue — unless, of course, there is another agenda at play here.

There is only one Government in the Democratic Republic of the Congo, which, in exercise of its right to self-defence as enshrined in Article 51 of the United Nations Charter, invited the SADC countries to come to its assistance in fending off aggression against its territory. The intervention followed the decision of a properly constituted extraordinary meeting of the Inter-State Defence and Security Committee (ISDSC) of the SADC Organ on Politics, Defence and Security. The ISDSC meeting was held in Harare from 17 to 18 August 1998 under the chairmanship of the Minister of Defence of Zambia, Mr. Chitalu M. Sampa.

At that meeting, there was recognition that the Democratic Republic of the Congo, a SADC member State, had been invaded and that the sister countries of Uganda and Rwanda had deployed their forces as far west as Matadi and Kitona on the Atlantic seaboard in support of what they claimed was an internal rebellion. The ISDSC meeting unanimously recommended that SADC countries in a position to do so should immediately go to the assistance of the Democratic Republic of the Congo. Subsequently, the SADC

summit chaired by former President Nelson Mandela of South Africa, held in Mauritius on 13 and 14 September 1998, stated in paragraph 21 of its communiqué the following:

> "The Summit welcomed initiatives by SADC and its member States intended to assist the restoration of peace, security and stability in the Democratic Republic of the Congo, in particular the Victoria Falls and Pretoria initiatives. In this regard, the Summit reaffirmed its call for an immediate cessation of hostilities and commended the Governments of Angola, Namibia and Zimbabwe for timeously providing troops to assist the Government and people of the Democratic Republic of the Congo to defeat the illegal attempt by rebels and their allies to capture the capital city, Kinshasa, and other strategic areas."

The legitimacy of Zimbabwe's military intervention in the Democratic Republic of the Congo has been further recognized and accepted by the OAU and by the Security Council in its resolutions 1234 (1999) and 1304 (2000), among others.

My Government takes great exception to paragraph 76 of the report, which imports lock, stock and barrel the caricatures and grotesque and false misrepresentations of the situation in my country peddled daily on the Internet and in the media by those dedicated to demonizing, vilifying and ostracizing my country, as was triumphantly and gloatingly announced in the British House of Commons recently. We reject this lampooning of our country with contempt. It is unworthy of a United Nations document to use such patronizing and anti-Zimbabwe language. If I might ask: What has the internal situation in my country, as falsely painted by our enemies and repeated by the Panel, got to do with the illegal exploitation of resources in the DRC? Nothing, absolutely nothing! It is gratuitous and panders to the wishes and interests of those who vociferously asked that there be a second report to vilify Zimbabwe.

For example, the report alleges the existence of one-party rule in Zimbabwe. This is a damned lie, an unashamed falsehood. Zimbabwe may have a dominant political party, but this does not translate into one-party rule. There are over 30 registered political parties in Zimbabwe today. It may interest the Council to know that Zimbabwe is the second-longest stable multi-party democracy in Africa, after Botswana. Zimbabwe, which became independent in an epoch-making general election in 1980, is still a multi-party democracy. Since 1980, Zimbabweans have exercised their democratic right to elect their leaders and representatives every five years, as demanded by the Constitution, in the 1985, 1990, 1995 and 2000 general elections. Presidential elections were held in 1996 and new ones are scheduled for March this coming year.

The reference to Zimbabwe as a one-party State is therefore untrue and malicious propaganda from the textbook of our detractors. Today, the two opposition parties have 57 of the 120 elected seats and before losing one in a by-election they had 58 seats. We are now preparing for our next presidential elections in March next year, to which we intend to invite international observers from SADC, the Economic Community of West African States, OAU/African Union, Asia, the Caribbean and Latin America. From Europe, we will invite some friendly countries, especially those that have avoided interfering in our internal affairs by, inter alia, desisting from funding the opposition, as some European countries have done. Last year, we had over 2000 journalists and tens of thousands of observers watching our general elections.

But read the media and hear! Zimbabwe does not have a land "appropriation" policy, as the addendum puts it, but a land reform programme that has been declared legal and constitutional by the Supreme Court of Zimbabwe. It is evil and wrong that a mere 4,100 white commercial farmers, mainly of British extraction, should own over 70 per cent of the best arable land in a country of 14 million black people. This is a relic of British colonialism. I find it intriguing that the Panel should have decided to hear evidence from the representatives of the 4,100 Commercial Farmers' Union, an organization that has absolutely no relevance to, and no expert knowledge about the illegal exploitation of the resources of, the Democratic Republic of the Congo. But, of course, if the aim was to tap into anti-Zimbabwe Government sentiments, then the strategy is quite understandable and yielded the intended results.

It is not surprising, therefore, that the land reform programme in my country, which has absolutely nothing to do with the Democratic Republic of the Congo, has been dragged into this report. But the facts are that the fast-track land reform programme referred to in this addendum started only in February 2000; yet

the invasion of the Democratic Republic of the Congo and our subsequent intervention took place in August 1998. The Security Council is aware of the fact that the Lusaka Ceasefire Agreement was signed in July 1999. What has an event that started in February 2000 got to do with issues covering the period 1998 and July 1999?

Of course, let us not miss the agenda behind this addendum. It is to besmirch Zimbabwe. Hence, reference to land appropriation in this report is intended to induce negative sentiments towards Zimbabwe in international opinion, which is daily fed on manure as far as the land question in Zimbabwe is concerned. To avoid any lingering doubt the Supreme Court in Zimbabwe has recently pronounced the land reform programme to be not only legal and constitutional, but to have been carried out in accordance with the rule of law. In view of the fandango of lies and falsehoods peddled by purveyors of malice against my country, I doubt if the judgement is widely known around the world.

The report further alleges that the failing Zimbabwe mining industry acted as a motivational factor in my country's decision to intervene in the Democratic Republic of the Congo. Currently, Zimbabwe exploits over 30 different types of minerals that include platinum, gold, chrome, cobalt, copper, tin and zinc. My country, God be praised, is blessed by having a geological formation known to experts as the Great Dyke. It is a trove of mineral wealth, which we are only beginning to survey and exploit systematically and scientifically. Zimbabwe is now the third largest platinum producer in the world and is likely to move to spot number two in three years' time. As a result of recent geological surveys, it has been established that Zimbabwe has a number of diamond-bearing Kimberlite pipes. There is, if I may add, a near Wild West frenzy among prospectors from around the world regarding these pipes. Already Rio Tinto has tested the viability of one of its claims and full exploitation begins early in the new year. Others are at various stages in this exciting development.

We remain and we shall continue for some time to be a major mining country in our own right. However, we do not control the prices of our minerals and metals, which have remained depressed for some time. And, of course, we have been under informal sanctions by the international financial institutions and some countries for the last two years because of our land reform programme and our decision to assist our brothers and sisters of the Democratic Republic of the Congo. But the puny, pathetic picture of Zimbabwe painted by the addendum is the wishful thinking of our detractors, which should have no place in such a report.

In spite of these endeavours to caricature Zimbabwe's internal situation, I can assure the Council that the situation as the Panel depicts it is largely a figment of a fertile imagination. Those, like my colleagues from the Southern African Development Community (SADC), who are willing to be objective see it differently. I wish, with the Council's permission, to submit a copy of the communiqué of the SADC Ministerial Task Force on developments in Zimbabwe issued this week, on 11 December 2001, and request that it be circulated as a document of the Security Council.

I wish in particular to draw the Council's attention to paragraph 11 of the communiqué, in which the SADC Ministers "expressed their concern at distorted and negative perceptions of Zimbabwe projected by the international and regional media". If they had read this addendum's reference to the internal situation in Zimbabwe, I have no doubt that they would have added it to the list of those purveying "distorted and negative perceptions of Zimbabwe".

The report alleges that the allies of the Democratic Republic of the Congo demanded compensation from the Government for their assistance. The simple answer is we did no such thing. This is yet another attempt at tarnishing my country's image and demeaning and debasing our noble intervention. Within SADC there is a tradition of coming to each other's assistance, and Zimbabwe itself has been one of the beneficiaries of this spirit of solidarity and pan-Africanism. Many countries in the region made sacrifices for Zimbabwe's independence. We did not promise or pay them anything; neither did they demand compensation.

It is therefore mischievous to suggest that we would demand compensation from the Democratic Republic of the Congo, because we regard it a bounden duty and moral obligation to return the favour done for us by other African countries. In the past, we have rendered assistance within this framework to our brothers in Mozambique. We spent seven years in Mozambique. We were paid nothing and we demanded nothing. We are continuing to do so today in the Democratic Republic of the Congo and we will do so in

the future, should we be called upon and are able to do so.

If I may refer to the issue of our joint ventures with the Democratic Republic of the Congo, the Council may wish to know that this was a Congolese idea and that it was they who decided on the shareholding structure of the ventures. Zimbabwe merely responded positively to the offer. The Democratic Republic of the Congo invited its allies in joint ventures in the hope of raising resources to support the whole effort and of strengthening economic cooperation within the SADC family.

The phenomenon of joint ventures with other countries is prevalent in SADC. Zimbabwe has joint ventures with countries like Malawi, Namibia, Botswana, South Africa, Tanzania and Mozambique. Areas covered include the hospitality sector, banking and finance, and transport. Even the Democratic Republic of the Congo has joint ventures with other SADC countries other than the three allies, indeed, as Minister Karubi said, with countries throughout the world.

The same cannot be said of the behind-the-scene deals that certain Western Governments and companies are concluding with the rebels, as disclosed in the earlier report. The current report is therefore a smokescreen meant to conceal the shadowy activities of Western companies, while turning the spotlight on Zimbabwe's perfectly legal joint ventures in the Democratic Republic of the Congo.

The Panel has negatively portrayed the relationships with Zimbabwe of certain individuals doing business in the Democratic Republic of the Congo, but has left out certain facts and other significant connections of these individuals with other countries. The case in point is that of John Bredenkamp and Billy Rautenbach. The Council will be interested to know that John Bredenkamp has been publicly listed among the 100 wealthiest men in the United Kingdom. However, his association with the United Kingdom is conveniently not mentioned. In the case of Billy Rautenbach, his family has had business interests in the region, including in the Democratic Republic of the Congo, for over 30 years. These business interests, which predate this current conflict, are omitted, creating the impression that his business interests in the Congo began only with Zimbabwe's intervention in that country. These are private businessmen pursuing their own interests like other private businessmen from around the world. They happen to be residents in my country. They are citizens of other countries.

My delegation finds it obscene for this report to allege that Zimbabwe is assisting and supplying arms to the FDD rebels from Burundi. Yet the institutions established by the Lusaka Ceasefire Agreement and the United Nations — the Joint Military Commission and MONUC, respectively — have not verified this alleged support for the FDD. This is one of several despicable attempts by our detractors to sour relations between Zimbabwe and South Africa. Zimbabwe would never undermine the facilitation efforts by South Africa in the Burundi peace process. Zimbabwe and South Africa are solid partners and brothers in SADC. I wish therefore to lay to rest the ghost of those who think they can succeed in tearing us asunder.

Let me now turn to the conclusions and recommendations of the Panel. The Panel calls on the Security Council to create a special commission that would revise and review all concessions, commercial agreements and contracts signed during President Laurent Kabila's rule. I find this conclusion intriguing indeed.

The concept of unequal treaties, which the panel introduces, is very fascinating. My Government is willing to cooperate with and assist the Council in fully developing and exploring this concept so that it is not used selectively but can be universally applicable. It may very well be found that most agreements signed with African chiefs by colonial representatives under false pretences, if reviewed by such a committee established by this Council, are invalid. The crisis of land rights, mineral rights and other such forms of alienation of indigenous people from their natural resources in southern Africa and other developing nations might benefit from the application of such a progressive concept.

We may also wish to extend this new-found morality in treaty-making to those agreements signed by the victors of World War One and World War Two. The possibilities opened by such a line of enquiry, if pursued objectively, may prove to be most salubrious indeed. What is wicked and dishonest would be to apply it selectively.

The Panel must make up its mind about how it intends to characterize Zimbabwe's presence in the Congo. In one instance, Zimbabweans are perceived as

pirates plundering every mineral resource that catches their eye. In the next instance, Zimbabwe is said to be paying millions from its own resources to sustain its intervention. It is therefore alleged that Zimbabwe has been miserably impoverished by its intervention to a point where it can no longer meet its balance of payments. Either Zimbabwe is presently benefiting, or it is not. The report should not be schizophrenic about this.

Whether we are benefiting or not is discussed elsewhere, in paragraph 58 of the report, where it says

> "As Zimbabwe's joint ventures in mining and timber begin to mature and become profitable, it may be tempted to retain a sizeable military presence in the Democratic Republic of the Congo".

"Tempted" — in future. Two important points are made here. The first, which is correct, is that the joint ventures — except those in civil aviation — have not yet matured or become profitable. We have reaped no profits. We have sunk capital that may or may not prove profitable. Mining is a risky business. There are no guarantees of success in spite of the promising prospects. This is not illegal exploitation of the Democratic Republic of the Congo; it is investment in that country.

In all our joint ventures, the Democratic Republic of the Congo has at least 51 per cent of the shares and a majority on the board of directors. These agreements can be renegotiated at any time if any of the parties requests such a renegotiation. If all companies and countries adopted a similar policy in their business practices in the Democratic Republic of the Congo, it would indeed be revolutionary and would set new standards in development cooperation. We are proud of our joint ventures with the Democratic Republic of the Congo and challenge all other investors to follow our example for the good of the Congolese nation.

It is this inherent fairness of the structure of these joint venture agreements that will protect Zimbabwe's investment in the Democratic Republic of the Congo, and not the presence of the Zimbabwe army. The speculation that Zimbabwe will be tempted to maintain a sizeable military presence in the Democratic Republic of the Congo to protect its investments is maliciously thrown into the report in spite of my country's numerous, authoritative and binding commitments made on several occasions under the Lusaka Agreement, during meetings of the Political Committee, to the Security Council and in countless bilateral discussions within Africa, SADC and with some members of this Council.

Since the Lusaka Ceasefire Agreement was signed, Zimbabwe has been pleading with the Security Council to urgently deploy a meaningful peacekeeping contingent in the Democratic Republic of the Congo in order to guarantee that country's security after the withdrawal of foreign forces. We have repeatedly brought our concerns to the attention of the Council directly, through the Political Committee, through our contacts with the Special Representative of the Secretary-General and numerous other interlocutors. Notwithstanding our many appeals and our oft stated deep disappointment at the hesitation of the United Nations in deploying sufficient peacekeepers, it is only now that we are beginning to see the initial stages of phase III deployment being initiated.

There is therefore no truth whatsoever in the Panel's speculative assertion that our continued presence in the Democratic Republic of the Congo is intended to prolong the war for the economic benefit of Zimbabwe If the Council accepts this notion, then it should also be prepared to accept the inherent implication that the Council itself, through what appears to outsiders to be an overcautious approach, is also deliberately prolonging the war.

To avoid any doubt, I now wish to restate my country's readiness to pull out of the Democratic Republic of the Congo — in accordance with the provisions of the Lusaka Ceasefire Agreement and whenever requested by the Democratic Republic of the Congo Government to do so. Either of the aforementioned conditions is sufficient to cause an immediate and total withdrawal of my country's troops from the Democratic Republic of the Congo.

In conclusion, I wish to advise that my Government intends in due course to submit through your good offices a detailed rebuttal of the innuendos and inaccuracies with which this hurriedly drawn Zimbabwe-bashing pamphlet is replete.

The President (*spoke in French*): I thank the Minister for Foreign Affairs of Zimbabwe for his kind words addressed to me.

Since there are a number of speakers still on the list who have not yet spoken and due to the lateness of

the hour, I intend, with the concurrence of the members of the Council, to suspend this meeting until 6 p.m. I would draw the members' attention to our consultations this afternoon. Since this meeting is suspending late, we shall hold our consultations at 3.15 p.m. sharp.

The meeting was suspended at 2.30 p.m.

United Nations S/PV.4437 (Resumption 1)

Security Council

Fifty-sixth year

Provisional

4437th meeting

Friday, 14 December 2001, 6 p.m.

New York

President:	Mr. Ouane	(Mali)
Members:	Bangladesh	Mr. Ahmad
	China	Mr. Chen Xu
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Ireland	Mr. Corr
	Jamaica	Miss Durrant
	Mauritius	Mr. Koonjul
	Norway	Mr. Kolby
	Russian Federation	Mr. Granovsky
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Tekaya
	Ukraine	Mr. Kuchinsky
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation concerning the Democratic Republic of the Congo

Letter dated 10 November 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/1072).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-69907 (E)

The meeting was resumed at 7 p.m.

The President *(spoke in French)*: Before giving the floor to the next speaker, I would like to apologize to Member States for the delay in the meeting's resumption. The Security Council was engaged in such intense consultations that our discussion was prolonged. I reiterate our apologies to Member States.

The next speaker on my list is the representative of South Africa. I invite him to take a seat at the Council table and to make his statement.

Mr. Kumalo (South Africa): My delegation is pleased to see you, Sir, presiding over the Security Council during this month. Under your able leadership we are confident that the Council will handle its matters with great honour and a sense of purpose.

Before I proceed with my speech, let me really thank the Security Council for making us proud today. As you know, Mr. President, it has always been a source of concern for us that when our ministers come to the Security Council they are always speaking very late in the debate, and their words no longer add to the debate on the issues under consideration. But today my delegation was very pleased that you were able to accommodate the Ministers early so that their words could really contribute to our work. We truly appreciate it.

The situation in the Democratic Republic of the Congo is of great concern to my Government. For many years, South Africa has been engaged in peaceful efforts to resolve the conflict in that country. My Government provided a neutral venue when the late President Mobutu Sese Seko negotiated the transition of government with the late President Laurent Kabila. We have continued to encourage the people of the Congo to resolve their differences through peaceful means. Next year, South Africa will host the inter-Congolese dialogue, and, as the Council knows, Mr. President, South African troops continue to serve with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

South Africa is appearing before the Security Council with the aim of clarifying statements contained in the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, which was released on 13 November 2001. Our intention is to put the record straight so that we can build confidence and trust, not so much among ourselves but among the Congolese people, always with the aim of contributing to peace.

My delegation truly recognizes the scale of the task that confronted the Panel of Experts and the impact that it will have on the peace process. However, we feel compelled to express the South African Government's concern at the Panel's assertion that it received less than the fullest cooperation from South Africa. Such a claim is simply inconsistent with the facts.

As the Security Council knows, never has it been alleged, at any time, that the South African Government was in anyway implicated in wrongdoing in the Democratic Republic of the Congo. However, a number of allegations have been made against South African citizens or entities operating from our territory, and our own law enforcement agencies have investigated many such cases.

It was in this spirit that the Panel was on every occasion afforded both access to and complete cooperation from Government representatives, including law enforcement officials, most recently on 10 and 12 September 2001. In addition, the South African Government transmitted detailed reports in April and September 2001 in response to questions raised by the Panel. Additionally, my Government has continued to investigate and collect information on subjects raised by the Panel in its second questionnaire dated 20 September 2001. To further its own investigation, South Africa also requested additional information from the Panel in October 2001.

It is for this reason that my delegation is surprised at the claims by the Panel that there is "credible" information implicating individuals or entities of using South African territory and facilities to conduct illicit commercial activities involving the Congo's natural resources. This information was not mentioned, nor did the Panel offer to share this evidence, during its meetings with the South African authorities.

Already, South Africa has in place a comprehensive legislative framework that covers illicit activities of this nature. My country is not lacking in legislation, but in credible information and evidence. It stands to reason that my Government's ability to investigate and initiate legal proceedings against alleged offenders is dependent on obtaining

information. In this regard, we would appreciate receiving from the Panel of Experts the names of individuals and/or businesses, as well as supporting evidence of their alleged activities — dates, places, routes, time frames and associates in South Africa and the Democratic Republic of the Congo.

My delegation would therefore humbly advise the Panel to be more willing to exchange detailed information with Member States. Any perceived unwillingness by the Panel of Experts in this regard constitutes a serious impediment to its own mandate. Until such time that the Panel provides South African law enforcement agencies with adequate information in substantiation of the allegations against individuals or entities, our own national capacity to thoroughly investigate, prosecute and monitor such activities will remain undermined, thus compromising the effectiveness of the work of the Panel of Experts. Meanwhile, we would hope that this perceived unwillingness by the Panel — and I pause here to say I am struck by the fact that all the ministers who spoke here referred to being "perceived to be unwilling" — to share relevant information is not and will not be construed as lack of cooperation.

My delegation is also concerned at the inconsistency in the references by the Panel of Experts to legal trade and illegal or illicit exploitation. In paragraph 15 (a) of its first report (A/2001/357), the Panel defined illegal activities as "all activities — extraction, production, commercialization and exports — taking place in the Democratic Republic of the Congo without the consent of the legitimate government". The current report, however, is inconsistent in this regard. It is the understanding of the South African Government that it was never the intention of the relevant Security Council resolutions to prohibit all trade with the Democratic Republic of the Congo. And many, many countries trade with the Democratic Republic of the Congo, including some that are represented around this table.

South Africa chairs the Kimberley process, which has developed detailed proposals for an international certification scheme for rough diamonds with a view to breaking the link between armed conflict and the trade in rough diamonds. It is indeed our hope that early in the new year the Kimberley process will report to the United Nations on how Member States are making sure that diamonds from conflict areas are not used to perpetuate wars such as the one we have witnessed in the Congo.

In conclusion, my delegation wishes to assure you that the Government of South Africa will continue to provide its fullest cooperation to the Security Council and the Panel of Experts. No nation is more aware of how important the work of the Expert Panel is to the quest for durable peace and security in the Democratic Republic of the Congo.

The President (*spoke in French*): I thank the representative of South Africa for his kind words addressed to me.

The next speaker is the representative of Canada. I invite him to take a seat at the Council table and to make his statement.

Mr. Heinbecker (Canada) (*spoke in French*): Canada took note with great interest of the addendum to the report submitted to the Council by the Panel of Experts. It was very important that the Panel be able to complete its difficult work, and we thank them for it.

The addendum to the report takes nothing away from the severe comments and recommendations already expressed with respect to the actors operating with the cooperation or backing of forces exercising control of the so-called rebel zones. To the contrary, it presents a more complete and alarming picture of the extent of the illegal exploitation of natural resources throughout the territory of the Democratic Republic of the Congo.

This additional information put forward by the Panel of Experts has just increased the growing alarm of Canada concerning the illegal exploitation of natural resources of the Democratic Republic of the Congo. This feeds even today a devastating conflict that has lasted for more than three years now.

Canada would like to reiterate its remarks of 3 May and, in particular, its condemnation of any persons, Governments and armed groups that have illegally exploited the resources of the Democratic Republic of the Congo and that have, through their activities, contributed to perpetuating the war in that country. Canada believes that the Security Council must ensure that measures are adopted to put an end to the plundering of the resources in the Congo.

If the Member States in question and other armed groups refuse to cooperate, the Council should apply stronger and more effective measures. Moreover, we believe that vigilance is required now more than ever, and that the Panel of Experts must be asked to pursue its work. Its mandate might be usefully adjusted and extended to make it possible to verify whether the plundering continues, to see if it develops in new directions and to better determine how the international community could contribute to putting an end to it without further burdening the population in their economic and security needs.

We are deeply convinced that any progress aimed at ending the illegal exploitation of natural resources in the Democratic Republic of the Congo will be one more step towards a return to peace in this country and in the region.

The President (*spoke in French*): The next speaker is the representative of Belgium. I invite him to take a seat at the Council table and to make his statement.

Mr. De Ruyt (Belgium) (*spoke in French*): I have the honour to speak on behalf of the European Union. The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — the associated countries of Cyprus, Malta and Turkey, as well as Liechtenstein, the European Free Trade Association country belonging to the European Economic Area, align themselves with this statement.

The document before us, the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, provides us with a detailed account of a grave and rather cheerless situation. It must nevertheless be read and, more to the point, studied, and we feel that it is essential to consider it with minute attention. We would like to warmly thank Ambassador Kassem and his team for the remarkable efforts they have made and the meticulousness with which, in a difficult context, they carried out this investigation.

The report shows that a conflict that was initially political and security-related in nature is becoming a struggle for riches. The parties involved have an interest in perpetuating the conflict, whose economic dimension, at the cost of war, is becoming a guiding force. Based as it is on a particularly cynical approach, this situation is above all tragic for the Congolese people, who, in the rationale being followed, see no peace and security on the horizon. The fate of the Congolese people is in part determined by this rush for lucre. They are the victims of their country's natural resources, whereas they should instead be the beneficiaries.

What is more, this situation is seriously complicating the efforts to restore peace. Specifically, the parties, with the help of the international community, are using political tools in a conflict which has to some extent become an economic struggle in which shifting alliances and the fragmentation of rebel movements seem to be dictated in part by the profit motive. Therein lies one of the key elements of a resolution of the conflict.

The European Union condemns this plundering of natural resources of the Democratic Republic of the Congo. It must stop, and here the primary responsibility lies with the parties themselves. The international community, for its part, must take action, setting up control mechanisms and appropriate measures to halt smuggling. There have been praiseworthy initiatives, such as the Kimberley process on the role of diamonds in conflict, and we consider that this course should continue to be followed. We welcome the encouraging outcome of the meeting held in Gaborone, and eagerly await its follow-up by the General Assembly. But individual countries also have a contribution to make. Those cited in the report in particular must seriously study the information it contains and take the necessary measures. It is in that spirit that the States members of the European Union have taken due note of that information.

It is clear that finding appropriate ways to combat this exploitation is no simple matter. Today's meeting is one step in the process of consideration and analysis that must be pursued; the recommendations of the Panel of Experts can enhance that process. The mandate of the Panel should be renewed in order to maintain the very useful monitoring that its activities have thus far made possible. In that context, we feel that, in determining what follow-up it intends to give to the report, the Security Council should be guided by certain fundamental objectives. First, the follow-up must contribute to the dynamic of the Lusaka process, and must thus form part of the overall framework for seeking a political solution to the conflict in the

Democratic Republic of the Congo. Secondly, the fate of the Congolese people must be at the centre of all concerns.

We note that the Panel proposes a moratorium on certain resources. We believe that we must ensure that the few resources still genuinely in the hands of the Congolese people are not taken away from them, and that any restrictive measures should be carefully targeted against those responsible for the plundering. Here I would point out that the aim of the measures should be precisely to enable the Congolese people to benefit from the natural resources of their country.

The report also makes reference to a plan for rebuilding the Democratic Republic of the Congo. That is the objective of the European Union, which remains fully prepared to mobilize considerable resources, depending on the concrete progress made on various aspects of the peace process. The inter-Congolese dialogue is an important element of the peace process. We welcome the progress already made in that regard, and we encourage the parties to make every possible effort to make the planned meeting in South Africa a success.

In that connection, the European Union fully shares the concern of the Panel of Experts about the role that international aid could be playing in financing the continuation of the conflict. That issue requires a responsible approach by both bilateral and multilateral donors.

Finally, the European Union considers that the recommendation that all concession agreements and all commercial agreements and contracts be reviewed and revised to address and correct all irregularities is a measure that ought to be pursued.

The exploitation of natural and human resources is a key factor in the conflict in the Democratic Republic of the Congo. It must be the object of very close and urgent attention by the international community, on the basis of a comprehensive strategy.

The President (*spoke in French*): The next speaker is the representative of Angola. I invite him to take a seat at the Council table and to make his statement.

Mr. Mangueira (Angola): At the outset, Sir, on behalf of my Government, I would like to congratulate you on your assumption of the presidency of the Security Council for the month of December. I would like also to congratulate the outgoing President for the dynamic way in which she steered the proceedings of the Council during her mandate. Further, I recognize the presence here of Their Excellencies the Foreign Ministers of the Democratic Republic of the Congo, Uganda and Zimbabwe, the Adviser to the President of Rwanda, and the Deputy Minister for Foreign Affairs of the United Republic of Tanzania.

I take this opportunity to express our appreciation for the holding of this second open meeting on the activities of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, the annex to whose report is contained in document S/2001/1072. In our view, that document makes reference to some matters that are of particular concern to the Angolan delegation, in spite of the fact that the Panel of Experts recognizes that the presence of Angola in the Democratic Republic of the Congo is based on strategic reasons and that Angola is the only country that did not receive significant compensation for its military action in that country, as was previously recognized by the same Panel in its report contained in document S/2001/357.

The reaffirmation of that fact, as we had the opportunity to state at the first public meeting of the Council on this topic, reflects a recognition of the policy of the Government of Angola, which is based, inter alia, on the principle of the defence of its sovereignty and of its national borders, on respect for the sovereignty of other States and on a policy of good-neighbourliness.

The Democratic Republic of the Congo is a sovereign and independent country recognized by the whole international community, and it has the capacity to sign agreements with other States in accordance with its national law and with international law. Therefore, the Government of Angola, as a matter of principle, cannot support some of the recommendations set out in the addendum to the report, particularly with regard to the question of the revision of concessions, trade agreements and other agreements signed between the Government of the Democratic Republic of the Congo and other States, allied or not, because we consider that recommendation to constitute interference in the internal affairs of that country. That sovereign capacity is undisputed. Only the States concerned have the power to review those agreements, which they signed in accordance with public international law,

particularly the Vienna Convention on the Law of Treaties of 23 May 1969, and the power to make use of mechanisms for appropriate revision or amendment.

The Sonangol company, as part of its regional business strategy, has established partnerships with its counterparts in other countries aimed at contributing to the economic development of the countries concerned. Such partnerships include Sonangol-Cape Verde, Sonangol-Sao Tome and Principe, and Sonangol-Congo. These are mixed-capital companies established under agreements signed by the two Governments concerned in each case. I stress the importance of the partnership for the economy of the Democratic Republic of the Congo, in keeping with the comments made by the Government of the Democratic Republic of the Congo in the document entitled "Note of the Government on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo":

(*spoke in French*)

> "Under the economic convention signed by the Democratic Republic of the Congo and Angola, Sonangol imports and distributes petroleum products, thus ensuring a regular supply of its strategic products for the Congolese economy. Moreover, it builds service stations and creates jobs." (*S/2001/1156, annex (French only), para. 16*)

(*spoke in English*)

It is our conviction that the solution to the problems of the Democratic Republic of the Congo undoubtedly lies in the implementation of the Lusaka Agreement and the additional protocols, as well as in the pertinent Security Council resolutions, which, once thoroughly observed, will provide the necessary conditions for a definitive settlement of the issues related to the illegal exploitation of the natural resources and other forms of wealth of the Congo in which the international community has a relevant role to play.

To conclude, the recommendations of the Panel of Experts should formulate concrete measures designed to put an end to the illegal exploitation of said resources and should not liken those countries that have agreements voluntarily signed with the Government of the Democratic Republic of the Congo to those which illegally exploit in any way the natural resources of the Democratic Republic of the Congo without the authorization of that Government.

The President (*spoke in French*): I thank the representative of Angola for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Burundi. I invite him to take a seat at the Council table and to make his statement.

Mr. Nteturuye (Burundi) (*spoke in French*): I should like first of all to congratulate you, Sir, on your assumption of the presidency of the Security Council and to say how proud Burundi is of the dynamic spirit and the contribution of Mali to this prestigious body, which is entrusted with international peace and security.

Our admiration likewise goes to your predecessor, Miss Mignonette Patricia Durrant of Jamaica, for the outstanding manner in which she guided the work of the Council last month.

The Government of Burundi has read the additional report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, which supplements the first report of that same Panel. We wish to pay tribute to Ambassador Kassem and his team for their excellent work. The Government of Burundi will continue to give them the support and cooperation necessary to their mission.

Burundi wishes to make the following comments on the report under consideration.

First, the Government of Burundi welcomes the conclusions of the addendum to the report, which completely clears Burundi of any suspicion of involvement in the illegal exploitation of the resources of the Democratic Republic of the Congo. Indeed, in paragraph 101 of the addendum, it is clearly stated that:

> "The Panel found no evidence directly linking the presence of Burundi in the Democratic Republic of the Congo to the exploitation of resources."

That same paragraph states that the presence of Burundi's army on the lake frontier with the Democratic Republic of the Congo

> "has been and continues to be directed at blocking attacks from the Burundi rebel groups, particularly FDD, which are based in South Kivu and Katanga."

The addendum thus confirms what the Government of Burundi has consistently asserted and what good-faith observers already knew.

During the meeting of the Security Council on the first report of the Group of Experts, the delegation of Burundi had questioned the existence of an International Monetary Fund (IMF) memorandum reporting that Burundi had been exporting minerals that it did not produce. The addendum, fortunately, has just confirmed our misgivings about this matter. In paragraph 102, the Panel of Experts states that it had "contacted the Africa Department of IMF, requesting a copy" of its memorandum, but that "the Panel has not been able to obtain a copy of it."

While the Government of Burundi is satisfied by the conclusions of the Panel of Experts concerning charges pertaining to the alleged involvement of Burundi in the illegal exploitation of the natural resources of the Democratic Republic of the Congo, the delegation of Burundi is, however, concerned by information contained in certain paragraphs of the addendum regarding assistance granted to the armed groups Forces pour la défense de la démocratie (FDD) and Forces nationales pour la libération (FNL) in the Democratic Republic of the Congo.

In paragraph 58 of the report, the Panel of Experts stated that it

> "received credible information, corroborating reports from independent sources, that Zimbabwe is supporting the Burundian FDD rebel forces by supplying them with weapons and expertise. Many reliable sources have informed the Panel this regard that the Zimbabwe Defence Forces are training FDD in Lubumbashi, where the FDD leadership is based and where Zimbabwean copper and cobalt investments are located. Another sign of their loosely structured coordination with the Burundian rebels is that the ALIR II forces are based near FDD in South Kivu and also have a command and liaison presence in Lubumbashi."

Paragraph 136 of the addendum states that

> "Zimbabwe and the Government of the Democratic Republic of the Congo supply arms to the FDD rebels ... The officers and non-commissioned officers are also trained by the Zimbabwean army ... in Lubumbashi. In exchange, FDD forces, acting essentially as mercenaries, fight alongside the Mayi-Mayi and ALIR forces".

Further, in paragraph 138, the report states that

> "The head of FDD, Jean-Bosco Ndayikengurukiye, is based in Lubumbashi. He is rumoured to control or own mining interests in the Katanga region, the profits from which he uses to cover some of his senior officers' expenses."

The Government of Burundi notes that this is not the first time that a report requested by the Security Council has reported destabilization of the security of Burundi, from the territory of the Democratic Republic of the Congo, by a regional coalition of negative forces. In the August 1998 report of the International Commission of Inquiry (Rwanda) established by resolution 1013 (1995), contained in document S/1998/777, the members of that Commission devoted an entire chapter to describing the links that exist between the former Rwandese forces and the Rwanda Interahamwe with the FDD and FNL of Burundi.

These inquiries were supported by important documents, contained in the report, indicating cooperation agreements signed between Rwandan and Burundian genocidal terrorists. The police of Burundi are also in possession of information concerning cooperation between the Allied Democratic Forces (ADF) rebels of Uganda of Jamilu Mukulu and the FDD-FNL Burundian terrorist movements.

The Government of Burundi calls on the Security Council to follow up on the conclusions of its own fact-finding missions, especially at this time, when the United Nations is being called upon to play an increasingly important role in the peace process in Burundi. The reports of these fact-finding missions should lead to consistent action.

It is becoming increasingly clear that the intransigence of the FDD and FNL armed terrorist groups is linked to the support that it has now been confirmed they are receiving from neighbouring countries. The time has therefore come for the Security Council and the international community to condemn these armed groups directly and hold them responsible for the terrorist acts they are committing against children, schoolchildren, students, women, the elderly, travellers, foreigners — and their property — and humanitarian personnel. The people of Burundi believe that the savagery of these killers is no different from that of, say, the Revolutionary United Front in Sierra Leone or UNITA in Angola — groups against which the Security Council has imposed sanctions that even extend to the countries and organizations that support them. The terrorist groups of Burundi are also acting as part of a coalition of negative regional forces that use the same methods of killing, are fuelled by the same ideology and pursue the same goals.

It would therefore be logical for the FDD and FNL to be placed on the same list of terrorist organizations that includes the ALIR of Rwanda and the ADF and the Lord's Resistance Army of Uganda — a list that has already been made public by the Governments of two permanent members of the Security Council — the United States of America and the United Kingdom.

The Government of Burundi requests the Security Council, the region, the facilitators and the entire international community to focus all their efforts on what is now the highest priority in Burundi: bringing about a complete and permanent ceasefire. That can become a reality only if coercive and firm measures are taken against the FDD and FNL armed groups, which have stepped up their violent actions against the innocent population since the establishment of the transitional Government, and which no longer have any political justification for turning a deaf ear to appeals for negotiation and ceasefire. Similar pressures should also be exerted on countries that provide recruitment and training, or serve as transit or assembly areas, for the FDD or FNL. The Government has made specific proposals for cooperation and consultation to those countries, and will continue to do so.

Finally, the Government of Burundi reiterates its willingness to negotiate a ceasefire with the FDD and FNL forces and to pursue dialogue with all neighbouring countries, especially the Democratic Republic of the Congo and Tanzania, with a view to seeking together the fastest way to bring peace back to Burundi, the Democratic Republic of the Congo and the whole of the Great Lakes region.

The President (*spoke in French*): I thank the representative of Burundi for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Nigeria. I invite him to take a seat at the Council table and to make his statement.

Mr. Hart (Nigeria): The Nigerian delegation is particularly delighted to see our sister country, Mali, and you, Sir, our friend, Ambassador Moctar Ouane, in the chair as President of the Security Council for the month of December. We have implicit confidence in your competence and ability to successfully guide the work of the Council.

In the same vein, we would like to commend Ambassador Patricia Durrant of Jamaica for the effective manner in which she conducted the affairs of the Council last month.

Today's debate on the report (S/2001/1072) of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo is greatly welcomed by our delegation. This debate provides us with an opportunity to share our views on the illicit exploitation of the mineral resources that legitimately belong to the people of the Democratic Republic of the Congo, and the consequent prolongation of the ethnic conflicts in the Great Lakes region.

We note with interest the remark contained in paragraph 10 of the report that the history of the Democratic Republic of the Congo, regardless of the political system or governing authority in place, has been one of systematic abuse of its natural and human resources, such that a country noted for its vast natural resources was reduced to being one of the poorest and debt-ridden by the early 1990s. This is indeed unfortunate. It is also true that most countries in Africa endowed with such natural resources as gold, diamonds and oil have also suffered a similar fate of the illegal exploitation of their mineral wealth, to the disadvantage of those countries and their peoples.

In some countries, like Sierra Leone, Angola and the Democratic Republic of the Congo, available natural resources which would have served as catalysts

for economic growth and development, are used as rewards for warlords who wage wars to gain control of those resources. These warlords have made enormous profits through the indiscriminate granting of concessions to their cronies to satisfy pressing political needs and exigencies. Consequently, these countries have become increasingly impoverished as a result of persistent corruption, patronage and lack of accountability.

In paragraph 56, the report of the Panel establishes a link between the exploitation of resources and the continuation of the conflicts in the Democratic Republic of the Congo. The emergence of various splinter rebel groups, such as the Uganda People's Defence Forces, the Mouvement de libération congolais and the Mayi-Mayi, has been linked to the struggle for the control of such resources as coltan, gold and diamonds in the Beni and Bafwasende areas, as well as in other areas of the Congo.

However, what is more worrying is the fact that, according to the report, some neighbouring countries have been supporting these rebel groups, mainly because of the attraction of winning concessions to exploit those mineral resources.

My delegation is concerned about the revelations in section V of the report, which discusses recent developments and their implications, particularly those relating to the stated roles of Zimbabwe and Rwanda in the Congo and their possible effects on the security concerns of Rwanda and Burundi, as well as on the prolongation of the war. We want to state that such developments — if confirmed — would not be in the interests of our collective desire for peace in the Democratic Republic of the Congo.

The problems in the Democratic Republic of the Congo are multifaceted and cannot be dealt with in isolation. The solution should take into account the larger problems of general peace and security in the entire Great Lakes region. We therefore believe that concerted efforts should also be made to reassure neighbouring countries like Uganda, Rwanda and Burundi of their own security. It is only through such collective action that the smuggling of mineral resources along the porous borders could be checked. In this regard, Nigeria supports the recommendation contained in the report, which stresses the need for the countries in the Great Lakes region to put in place effective controls and legal mechanisms to address the smuggling of resources.

My delegation also believes that the Bretton Woods institutions and international donors should play effective roles in helping to rebuild the economy of the region by injecting investable funds for infrastructure and general development. Accordingly, Nigeria supports the Panel's call for international donors to consider submitting to the Security Council, within the shortest possible time, a comprehensive programme for financing development in the region.

Nigeria favours the recommendation that a moratorium be declared for a specific period of time on the purchase and importation of precious products, such as coltan, diamonds, gold, copper, cobalt, timber and coffee, originating from areas where foreign troops are presently located in the Democratic Republic of the Congo. This would be in addition to the standardization of the certificates of origin for mineral resources from these areas, to be monitored by the World Diamond Council, the United Nations Forum on Forests and the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Finally, my delegation urges the Security Council to consider the imposition of sanctions on any country that violates the resolution on the exploitation of mineral resources in the Democratic Republic of the Congo. As the brotherly people of the Democratic Republic of the Congo anxiously look to the Security Council for assistance, we urge the Council to give urgent consideration to this matter with a view to finding lasting solutions to the vexed issue of illicit exploitation of the God-given wealth of these countries.

The President *(spoke in French):* I thank the representative of Nigeria for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Zambia. I invite him to take a seat at the Council table and to make his statement.

Mr. Musambachime (Zambia): My delegation would like to congratulate you, my brother from the great Republic of Mali, on your assumption of the presidency of the Security Council for the month of December.

Allow me also to thank your predecessor, Ambassador Durrant of Jamaica, who guided the deliberations of the Council in the month of November.

In addition, allow me to welcome the presence and the statements of the Ministers from the Democratic Republic of the Congo, Uganda and the United Republic of Tanzania, and the Adviser to the President of the Republic of Rwanda. Their participation in the deliberations this afternoon have helped to clarify a number of issues.

I would like to thank you, Mr. President, for convening this very important meeting on the illegal exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo, our neighbour. The convening of this meeting is yet another demonstration of the Security Council's continued resolve to ensure the full implementation of the Lusaka Ceasefire Agreement in order to achieve durable peace and stability in the Democratic Republic of the Congo and in our region as a whole. It is for this reason that the Republic of Zambia provided its full assistance to the Panel to facilitate its work during its visit to our country.

I also want to assure you, Mr. President, that the Government of the Republic of Zambia will continue to cooperate fully with you and the other members of the Security Council in your noble efforts.

It is no secret that the Zambian Government attaches great importance to all efforts to ensure that there is peace and stability in our region. My Government has always played a leading role in these efforts in Angola and the Democratic Republic of the Congo. Our contributions have been acknowledged by the Council and the international community at large. The efforts and personal sacrifices of the President of the Republic of Zambia, Mr. Frederick J. T. Chiluba, in the pursuit of peace and stability in the Congo are well known and well documented, and cannot be ignored. He has done everything possible to advance the cause of peace.

My delegation is therefore extremely disappointed with the comments about my country contained in the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, contained in document S/2001/1072. Without even acknowledging the enormous sacrifices that Zambia has made and continues to make in the search for peace in the Democratic Republic of the Congo, the Panel makes serious and unsubstantiated allegations against my country. In the report, the Panel is in fact insinuating that Zambia is undermining its own efforts and those of the international community to bring peace to the Democratic Republic of the Congo.

Please allow me to address some of the issues raised by the Panel. In paragraph 111, the Panel alleges that

> "Zambia does not have the capacity to exert much control over the refugee camps in its territory, where training activities have been conducted for incursions carried out from Zambian territory."

This is a serious allegation. It casts serious doubts on the sovereignty of our country as well as on the ability of our security institutions to conduct or undertake their statutory functions. We do not know how the Panel arrived at this conclusion, because — let me tell the Council — during all the times it was in Zambia, it did not visit a single refugee camp. Therefore, we wonder why the Panel, without knowing the facts, chose to cast Zambia's ability in a negative light. This is unacceptable.

According to the 1951 United Nations Convention relating to the Status of Refugees, to which Zambia adheres religiously, the supervision, administration and management of refugee camps are the responsibility of the Office of the United Nations High Commissioner for Refugees (UNHCR). The host country provides security for refugees and citizens alike.

UNHCR has been in Zambia for more than 30 years. In that period, it has never complained of Zambia's lack of capacity to provide military or police protection. Similarly, UNHCR has never complained that refugees' enjoyment of rights was worse than that of the citizens, residents, migrant workers, tourists and visitors. This statement, therefore, is far from the truth.

Zambia currently hosts more than 270,000 refugees, who are in two settlements and four camps under the supervision of UNHCR. If it is true that military training is being conducted in these camps, as the Panel alleges, then the conclusion would be that this is being done with the full knowledge of UNHCR. Of course, we know that this is not true.

The protracted conflicts in Angola and the Democratic Republic of the Congo have continued to generate large numbers of refugees who are sheltered in Zambia. As pointed out in the UNHCR report in document A/56/12, Zambia is the country most adversely affected by the influx of refugees from those two countries. Because of our adherence to the United Nations Convention relating to the Status of Refugees, my country continues to shoulder the heavy burden of looking after refugees. Unfortunately, we must admit that the arrival of civilian refugees is often accompanied by the entry into the country of armed elements and ex-combatants. This situation poses a very serious threat to the security of the local population and of the civilian refugees themselves.

To counter this, the Zambian Government, in collaboration with UNHCR, disarms and separates those identified as ex-combatants and sends them to a refugee camp called Ukwimi, which is located in the eastern part of the country, close to the Malawian border and far from the borders of Angola and the Democratic Republic of the Congo and from the camps for civilian refugees. Currently, I wish to report that Ukwimi refugee camp is holding 2,278 ex-combatants, who are being screened by the National Eligibility Committee in collaboration with UNHCR.

I want to inform the Council that this information was and is readily available not only with the Zambian Government, but with UNHCR as well. The Panel could easily have got this information had it asked for it. One wonders why, when there are facts, the Panel decided to insinuate otherwise and to paint a completely erroneous picture.

Annex I of the addendum to the Panel's report is a list of the countries it visited and the officers it met. On page 35, it is clearly indicated that the Panel met with the President of the Republic of Zambia, Mr. Chiluba; four Government Ministers, including the Ministers of Defence and Presidential Affairs; and the Permanent Secretaries of the Ministries of Foreign Affairs and of Mines and Minerals Development. As a nation, we are therefore shocked to note that, in paragraph 114, the Panel reports that there was a lack of cooperation from the Government of the Republic of Zambia.

I want to pose the following questions. Where was the lack of cooperation when the Panel met the topmost person in the country — the President — and the Ministers relevant to its visit? Where was the lack of cooperation when the Government of the Republic of Zambia ensured that the Panel met with whomever it requested to meet? Where was the lack of cooperation when the Government of the Republic of Zambia ensured that it visited places that it wanted to visit? Indeed, where was the lack of cooperation when the Government provided transport and other facilities for the Panel?

Sharing the longest border with the Democratic Republic of the Congo, my country has been the worst affected by the spillover from the conflict. Zambia does not stand to gain in any way from this conflict. In fact, the conflict is impacting negatively on the well-being of Zambians. The continuous flow of refugees and increased insecurity along the borders have greatly disrupted the lives of our people. We do not cherish this situation and that is what the Panel should have known and should know.

Zambia has always supported and cooperated with the panels sent by the Security Council and other United Nations bodies. We have facilitated their smooth operation in the country and ensured that all impediments to their work were removed. They have been free to go wherever they want and to see whomever and whatever they want to see.

My delegation is convinced that the mandate given to this Panel was a noble one and made in good faith. We believe that, if properly focused, the Panel could make a positive contribution towards bringing peace and stability to the Democratic Republic of the Congo. However, the tone and content of the report as it relates to Zambia creates an element of distrust and suspicion which could easily fuel an already volatile situation. We have already invested a lot in the search for peace. We should not allow the efforts that we have made and the progress so painstakingly achieved to be undermined by people with different intentions and agendas.

We are therefore disturbed by these unjustifiable accusations. If the Panel, as claimed in paragraph 111, has information that various Congolese resources transit through Zambia illegally, the noble and decent thing to do would be to inform my Government so that the necessary control measures can be effected.

My country therefore challenges the Panel to substantiate these allegations as they appear in the report. If it should fail to do so, we would demand a

retraction and an apology. We make these demands because we believe in transparency; we believe in objectivity, justice and fair play. I wish to assure the Council that we will always extend help to other panels.

The President (*spoke in French*): I thank the representative of Zambia for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Namibia. I invite him to take a seat at the Council table and to make his statement.

Mr. Theron (Namibia): It gives my delegation great pleasure to see you, Sir, presiding over the work of the Council. I wish to thank you for scheduling this very important meeting. I also wish to congratulate Ambassador Durrant of Jamaica for the excellent manner in which she conducted the work of the Council in November, and in particular for the focus on African situations.

I would also like to acknowledge the presence of all the ministers at this meeting.

My delegation wishes to reiterate its thanks and appreciation to Ms. Ba-N'Daw for presenting us with the report in April on the disturbing facts about the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo and with the recommendations. We also welcome the addendum containing additional information prepared by Ambassador Kassem and his team. Namibia has submitted a formal response to the addendum to the Security Council.

Namibia's support for the establishment and mandate of the Panel was and remains intended to help put an end to the plundering of the natural resources of the Democratic Republic of the Congo, which are being used to fuel the conflict. Our support stems from a deep desire to preserve the sovereignty and territorial integrity of the Democratic Republic of the Congo. It is for these reasons that on both occasions when the Panel visited Namibia, the Government of the Republic of Namibia rendered all necessary assistance and extended full cooperation in facilitating its meetings with all relevant Government authorities, as requested. In this context, we welcome the expression of gratitude from the Panel for the excellent cooperation, as stated in annex I of the addendum. Namibia welcomes the proposed extension of the Panel's mandate and pledges its continued cooperation.

The naked aggression against the Democratic Republic of the Congo by Uganda and Rwanda and the accompanying suffering and hardship caused to the people of that country were exacerbated by a process of systematic looting and pillaging of the natural resources and other forms of wealth of their country by the very same forces responsible for the invasion. The tragic effects of these crimes have been well illustrated in the Panel report, as well as in other reports on the situation in the Democratic Republic of the Congo.

Unfortunately, the situation continues with impunity today and is clearly directly linked to the continued occupation of the country. Those countries that have violated the sovereignty of the Democratic Republic of the Congo have persisted in their defiance of Security Council resolutions, in particular resolutions 1304 (2000) and 1376 (2001).

It is worthwhile recalling the well-illustrated statistics in the main report, showing the discrepancies between the production of minerals and other resources by these countries and their exports. Even more specifically, the Panel, in paragraph 125 of the same report, concluded that the economies of Rwanda and Uganda have benefited financially from the conflict in the Democratic Republic of the Congo.

In contrast to the illegal exploitation by countries that have violated the sovereignty of the Democratic Republic of the Congo, the Panel has correctly indicated that the Government of the Democratic Republic of the Congo has, as any sovereign State has the right to do, in some instances relied on income from the resources of the country to assist in its defence against its aggressors. In the addendum, the Panel acknowledged that most transactions by those countries that came to the defence of the Democratic Republic of the Congo were done in line with normal economic cooperation between sovereign States. They were carried out through the establishment of joint ventures and other well-established trade practices.

My delegation welcomes the recommendations in the report aimed at putting an end to the illegal exploitation of the natural resources of the Democratic Republic of the Congo. However, it cannot support recommendations in the addendum that attempt to question or discredit sovereign decisions taken by the legitimate Government of the Democratic Republic of

the Congo. Therefore, for my delegation, the recommendation that the Security Council create a body to review concessions, commercial agreements and contracts concluded by the Government of the Democratic Republic of the Congo is unacceptable.

I now wish to make a few specific comments about the utility of the Panel reports and to register some misgivings of my delegation.

While we welcome the findings of the Panel, in our view, in some instances it appeared reluctant to state that a specific country was not illegally exploiting the resources of the Democratic Republic of the Congo, even where overwhelming evidence to that effect was submitted. Just as the Panel proved conclusively through the publishing of statistics provided by countries themselves, as well as by international financial institutions, that Rwanda and Uganda are engaged in the illegal exploitation of the resources of the Democratic Republic of the Congo, the same kind of information and procedures could have been used to prove that other countries are not benefiting from the illegal exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo.

Furthermore, whereas in the addendum the Panel has extensively reported on transactions concerning the exploitation of the resources of the Democratic Republic of the Congo, in contrast to its mandate of investigating the illegal exploitation of the natural resources and other forms of the country's wealth, the addendum appears to have focused only on countries in Africa. It would have been enlightening to have a wider perception of the commercial transactions for the exploitation of the resources of the Democratic Republic of the Congo involving actors outside Africa.

Finally, the reference in the addendum to the personal decision by His Excellency President Nujoma is wrong. While this has no relevance to the Panel's mandate, I wish to point out that decisions of the Government of the Republic of Namibia are taken in accordance with the procedures outlined in the Constitution of the Republic of Namibia and that those were fully respected when this decision was made.

Let me repeat once again what we have said in this Chamber — that Namibia's involvement in the Democratic Republic of the Congo was at the expressed invitation of the legitimate Government of the Democratic Republic of the Congo, and not for the exploitation of Congolese coltan, gold, copper, cobalt, diamonds, timber or any other resources.

Namibia has repeatedly stressed the need for respect for the sovereignty and territorial integrity of the Democratic Republic of the Congo and for its control over its natural resources. The illegal exploitation of the natural resources of the Democratic Republic of the Congo, if not put to an end, will defeat the efforts of the Security Council in that country. The report of the Panel of Experts clearly identified the link between the invasion of the Democratic Republic of the Congo, the plundering of its resources and the continuation of the conflict. This is at the core of the Panel's mandate, and the Security Council should not loose sight of this important link.

In conclusion, my delegation wishes to impress on the Security Council the need to ensure that the countries that have invaded the Democratic Republic of the Congo withdraw without delay, even if that means adopting further measures in terms of its mandate under the Charter. Any further measures decided on by the Council should include the payment of reparations and compensation to the Democratic Republic of the Congo by the invading countries. The Council cannot afford its decisions being ignored continuously, since, in allowing this, it risks serious damage to its credibility.

The Panel of Experts had an important mandate. The besieged Congolese people are counting on the Security Council to help put an end to the plundering of their resources and to assist in making peace in their country a reality.

The President (*spoke in French*): I thank the representative of Namibia for the kind words addressed to me.

The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Yamamoto (Japan): I would like to thank you, Mr. President, for giving my delegation the opportunity to participate in today's discussion on this important issue. I would also like to thank the Panel of Experts for producing a well-balanced addendum to the report on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo.

The illicit exploitation of natural resources, not only in the Democratic Republic of the Congo, but also in other parts of the world, is a cause of recurring open hostilities and a major obstacle to the settlement of conflicts. As Japan stressed in its statement before this body last May, it must be stopped.

Towards this end, Japan has been participating in the discussions of the Kimberley process, which addresses the problem of conflict diamonds. Through this process, the international community has learned valuable lessons regarding the curtailment of illicit exploitation of natural resources for conflict prevention, while at the same time protecting the legitimate exploitation of natural resources for the promotion of development.

With respect specifically to the Democratic Republic of the Congo, Japan hopes that the following two points will be taken well into account when the Security Council considers the recommendations contained in the addendum report.

First, producing countries and importing countries must acknowledge their responsibility and commit themselves to breaking the circle of conflict and the illicit exploitation of natural resources. This consciousness of responsibility will provide an environment in which the international community will be encouraged to take voluntary initiatives to stop the illicit trade.

Secondly, with the end of the conflict in sight, the process of demobilization, disarmament and reintegration and efforts for the reconstruction and rehabilitation of the Democratic Republic of the Congo have begun. In support of those efforts, it is crucial that legitimate trade in primary commodities be protected. As the addendum to the report points out, those items which are illicitly exploited and traded in the eastern part of the Democratic Republic of the Congo are not confined to coltan and diamonds, but also include gold, copper, cobalt and timber. But because these primary commodities are important sources of income for the nation-building efforts of the Democratic Republic of the Congo, if the international community agrees that illicit trade in these items needs to be regulated, it should be done in such a way as not to be detrimental to revitalizing economic activities in the Democratic Republic of the Congo. In this connection, the international community should pay due attention to protecting the legitimate exploitation and trade in primary commodities in the country.

As we emphasized in our statement last May, the relationship between the illicit exploitation of natural resources and the protraction of the conflict in the Democratic Republic of the Congo must be considered in the wider context of consolidating peace throughout the region. This will require a comprehensive and integrated approach. I would thus like to underline the importance of convening an international conference on peace and development in the Great Lakes region, as recommended in the addendum to the report, as well as the acceleration of the disarmament, demobilization and reintegration process by the United Nations Organization Mission in the Democratic Republic of the Congo. This will help create a conducive environment in which the countries concerned can discuss ways of securing their borders.

Finally, the ministerial meeting in preparation for the Third Tokyo International Conference on African Development (TICAD III) was held in Tokyo on 3 and 4 December. The chair's statement issued at that meeting welcomed the adoption of the New Partnership for Africa's Development (NEPAD) as a manifestation of the commitment of African leaders to effective leadership and accountability. NEPAD reflects the principles of global partnership and ownership. I would like to emphasize the importance of these principles in the context of addressing the illicit exploitation of natural resources and the ongoing conflict in the Democratic Republic of the Congo.

The President (*spoke in French*): I now give the floor to the Chairman of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, Mr. Mahmoud Kassem, to respond to the comments made and the questions raised.

Mr. Kassem: Because of the lateness of the hour, I will confine myself to replying to two of this morning's interventions and one from this late meeting.

The Minister for Foreign Affairs of Zimbabwe said that Zimbabwe's presence in the Democratic Republic of the Congo is an enactment of the mutual defence agreement of the Southern African Development Community (SADC) and came about following a direct plea from the sovereign Government of the Democratic Republic of the Congo.

Zimbabwe's initial military involvement in the Democratic Republic of the Congo was under the pretext of the SADC mutual defence arrangements. However, it is the nature of this presence today which is of interest to the Panel. Is the Zimbabwean military presence today an enactment of this mutual defence arrangement, or has it evolved into something else as the conflict level subsides? If Zimbabwe's presence in the Democratic Republic of the Congo is a burden on its limited resources, why does it continue? Why have there have been no troop reductions to reflect the level of the conflict?

The Minister went on to state that Zimbabwe's activities in the Democratic Republic of the Congo are legitimate, bilateral, commercial relations between two sovereign countries. Zimbabwe makes no secret of the fact that it finances its presence in the Democratic Republic of the Congo through its joint ventures with the Congolese Government. Zimbabwe's commercial activities in the Democratic Republic of the Congo are based on arrangements made with the Congolese Government in Kinshasa. That is an undeniable fact. Is it legal? That is another matter.

In order to better understand this, we have to ask ourselves the following questions. Were the conditions under which this commercial activity was established normal? Are these activities considered legal by the often sidelined Congolese law? Does the nature of these commercial activities reflect commonly accepted bilateral commercial ties? In fair market terms, does the value of Zimbabwean gains from commercial activities in the Democratic Republic of the Congo reflect the size of its modest investments? The answer to these questions is no.

Regarding the conditions of the agreements made, the Panel would just like to recall the signing of the contracts transferring the Kababencola Mining Company (KMC) to the Zimbabwean businessman John Bredenkamp. This took place at the Grand Hotel in Kinshasa, where all the senior management officials of Gécamines were present, as well as senior Zimbabwean military officers. The Zimbabwean side, which had prepared the contract, allowed no one to leave before the contract was signed, unchanged. As to whether Congolese law was respected with regard to the Zimbabwean concession, the Panel only wishes to refer to the Sengamines deal. The legality of the Congolese Government directly negotiating and granting concessions on behalf of the Société minière de Bakwanga (MIBA) should be seriously considered — assuming that the Congolese Government has that right, as a partner in MIBA. However, the Congolese Government did not consult Sibeka, the other partner in MIBA, when it decided to grant Sengamines the best concession lands. Irrespective of its legality, how can this be considered as commonly accepted commercial behaviour?

Regarding the value of the investments, the addendum clearly outlines that the Zimbabwean role offered neither capital nor land nor entrepreneurship. This, then, leads us to the two most important and relevant questions: first, would Zimbabwe's commercial activities in the Democratic Republic of the Congo be negatively affected if it had no military presence in the country? Secondly, are Zimbabwe's policies and actions in the Democratic Republic of the Congo aimed at prolonging the conflict so as to ensure that this military presence continues in order to safeguard its commercial activities? The answer to both questions is yes.

One needs only to look at the areas where Zimbabwean troops are deployed to realize how strategically located they are with regard to their concessions. Zimbabwe's aid to the Forces pour la défense de la démocratie (FDD), which is documented in the addendum, also gives a clear example of how this country is actively taking steps to prolong the conflict.

Finally, if the Government of Zimbabwe still holds the same position regarding the legality of these contracts and concessions, then it should be the first to welcome a review of its commercial activities in the Democratic Republic of the Congo. A revision of these contracts, under the auspices of a third party and in an atmosphere of transparency, would reconfirm their nature. This would enable both Zimbabwe and the Democratic Republic of the Congo to then engage in sound, unquestionable and sustainable commercial relations under fair market terms. This is a development that would unarguably be to the benefit of both the Congolese and Zimbabwean people.

Turning to an intervention made by the representative of the United Republic of Tanzania, who alleged that his Government has been cooperative with the Panel, I would state that the Panel in fact did not understand why the Tanzanian Government showed so much hostility — I repeat, so much hostility — to the

Panel, irrespective of the fact that the Tanzanian Government appointed low- to medium-level officials to meet with the Panel. These officials were actively — I repeat, actively — discouraged from disclosing information to the Panel. As for his allegation that the Panel has twice accused the Bank of Tanzania of being involved in illicit smuggling of diamonds originating in the Democratic Republic of the Congo, the Panel had taken note of the Tanzanian Government's position, especially the point of view conveyed by the Governor of the Bank of Tanzania, with whom it met. Accordingly, further investigations were carried out which have once again revealed that the initial information presented remains valid. In the case of the Bank of Tanzania, evidence acquired by the Panel has shown that certain individuals working at the Bank have actively been marketing diamonds originating in the Democratic Republic of the Congo — from the premises of the Bank. It has knowledge of at least three deals concluded there which were destined for Antwerp, Amsterdam and Johannesburg. As regards the United Republic of Tanzania, at this point I will stop.

I did not really intend to respond to the representative of Zambia. But I was really surprised when he put to me these questions with regard to cooperation or lack thereof. In the end he posed a very surprising question: where was the lack of cooperation when my Government provided transport to the Panel? As far as I know, it is the United Nations that supplies all the needs of the Panel — and nobody else, including Zambia.

As for the lack of cooperation, I would just like to say a few words. At its meeting in Lusaka, the Panel was surprised that even what could be considered public information, in the papers, was not given freely to the Panel. Officials who attended the meetings were either evasive or simply uncooperative. In some instances, junior officials clearly indicated that they were not authorized to disclose any information to the Panel. It should also be noted that, although a meeting with President Chiluba had been scheduled, the Panel learned upon arrival in Lusaka that the meeting had been unilaterally cancelled. It was only after the Panel's complaint to Minister of State Eric Silwamba about Zambia's lack of cooperation — and he was surprised — that a meeting with President Chiluba was hastily arranged at the last minute before we left. Furthermore, additional information requested in writing from the Zambian Government was received after the completion of the addendum.

The President *(spoke in French)*: I thank Mr. Kassem for the further information and responses he has provided.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Council will remain seized of the matter.

The meeting rose at 8.40 p.m.